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House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. FARENTHOLD).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 9, 2015.

I hereby appoint the Honorable BLAKE FARENTHOLD to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 6, 2015, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 1:50 p.m.

THE TRUTH IS WHAT CAN SAVE AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. JONES) for 5 minutes.

Mr. JONES. Mr. Speaker, I am on the House floor today to express my thanks to Senator RAND PAUL for his 11-hour filibuster of the PATRIOT Act reauthorization on May 31.

I voted against the USA FREEDOM Act, which would have reauthorized the PATRIOT Act, because the NSA spying program allows for the Federal Government to gather bulk private data on law-abiding American citizens, a clear violation of the Fourth Amendment.

I also commend Senator PAUL for his courageous statement a couple of weeks ago. He said: ''ISIS exists and grew stronger because the hawks in our party gave arms indiscriminately, and most of those arms were snatched by ISIS. They''—the hawks in our party—''created these people.''

Unfortunately, Louisiana's Governor, Bobby Jindal, criticized my friend Senator PAUL by saying he is ''unsuited to be Commander in Chief.'' It is obvious Governor Jindal does not know about the manipulation of intelligence that led us into the Iraq war.

In a 2006 article for Time magazine, Lieutenant General Greg Newbold, whom I met with shortly after he wrote the article, stated: ''From 2000 until 2002, I was a Marine Corps Lieutenant General and Director of Operations for the Joint Chiefs of Staff. After 9/11, I was a witness and, therefore, a party to the actions that led us to the invasion of Iraq, an unnecessary war. Inside the military family, I made no secret of my view that the zealots' rationale for war made no sense.''

Later in the article, Lieutenant General Newbold states: ''The distortion of intelligence in the buildup to the war led us to the unnecessary war in Iraq.''

The distortion of intelligence, Mr. Speaker, is what led us to that war in Iraq.

Last month, when Governor Jeb Bush justified his brother's war in Iraq, my friend Colonel Lawrence Wilkerson, who was chief of staff to former Secretary of State Colin Powell, appeared on MSNBC's ''The Ed Show,'' where Wilkerson said: ''The intelligence was fixed, and everyone should know that by now. It was a failure of the intelligence agencies, but it was also a failure of the political people who manipulated the intelligence failure to their own benefit. It destroyed the balance of power in the Gulf and produced what we have today: the chaos we have today; al Qaeda in Iraq—never there until we invaded; ISIS—never there until we invaded; the mess we have in Yemen. Everything that's happening in the Middle East today can be attributed to our having destroyed the balance of power that we had carefully maintained for half a century with the invasion in 2003. It was a disaster.''

Thank you, Lawrence Wilkerson, for telling the truth.

Like Colonel Wilkerson said, everyone knows the intelligence was manipulated to trick the American people and the Congress into thinking the Iraq war was necessary. In fact, it was not, and it created the vacuum of power that exists today and that ISIS takes advantage of.

Also, I would like to say, Mr. Speaker, as I have a poster here of the Air Force removing an American hero from the plane in a flag-draped coffin: because of that unnecessary war in Iraq, we lost over 4,000 Americans; because of that unnecessary war in Iraq, we had over 30,000 wounded.

So in closing, Mr. Speaker, I would first like to thank our men and women in uniform, their families, and the families who gave a child dying for freedom in Afghanistan and Iraq.

I also would like to say: Thank you, Senator PAUL, for standing up for the truth. The truth is what can save America. Thank you, Senator PAUL.

REMEMBERING JOHN NASH

The SPEAKER pro tempore. The Chair recognizes the gentleman from West Virginia (Mr. JENKINS) for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Speaker, on May 23, 2015, the world lost one of the brightest mathematicians of the 20th century. John Nash, Jr., and his wife, Alicia, were tragically killed in a car accident, and I offer my sincerest condolences to their family.

John Nash, Jr., was born in Bluefield, West Virginia, on June 13, 1928. At a young age, he displayed immense intelligence and an affinity for mathematics. Many may know Dr. Nash's story from the movie, ''A Beautiful Mind,'' where he was portrayed by actor Russell Crowe, but many are unaware of the groundbreaking impacts he had in the field of mathematics and economics.

In 1994, Dr. Nash shared a Nobel Prize in economics for his work on game theory. Dr. Nash's work developed the concept of an equilibrium in noncooperative games that has come to be known as the Nash equilibrium. Today, economics students across the world are familiar with Dr. Nash's contributions to the field of economics, studying the Nash equilibrium and game theory exclusively.

He revolutionized economics, and his work will have lasting impacts in business, sports, politics, and is even applicable to nuclear deterrence theories. Dr. Nash's work in pure mathematics is just as important and revolutionary as his work on game theory.

Dr. John Nash was not only a genius, he was also an advocate for those suffering from mental health issues. As many who have seen the film know, Dr. Nash suffered from mental illness. He used his struggles as a way to help others with mental health problems, becoming a staunch supporter for awareness and outreach for those with mental health issues.

Dr. Nash's advocacy work and brilliance will be missed by so many. This Saturday would have been John Nash's 87th birthday. Dr. Nash was clearly taken from us too soon, but his work and his advocacy will live on. The best way we can honor his legacy is to continue his fight for treatment, for education, and for dignity for those facing mental health issues and their families.

OPPOSING THE AMERICAN INNOVATION ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. ROHRABACHER) for 5 minutes.

Mr. ROHRABACHER. Mr. Speaker, today I would like to alert my colleagues, Democrats and Republicans, and I would like to alert the American people that there is a monstrous piece of legislation that will do great damage to our country and to the welfare of the American people making its way through the Judiciary Committee.

In fact, the Judiciary Committee will have a markup this Thursday of what is called the American Innovation Act, H.R. 9. This, in reality, is the anti-innovation act. It is one of the most egregious examples of crony capitalism that I have witnessed in this body as I have been here for the last 26 years.

This legislation uses a legitimate problem, which is frivolous lawsuits, and then portends to solve that problem by dramatically restricting the right of all Americans to sue in order to address those who have violated their rights in the name of usurping those who have been called patent trolls. A patent troll is someone who has purchased the right for a patent from an inventor and now has that property right himself. In the name of restricting those patent trolls from enforcing the right that they have bought from the inventor, they are dramatically restricting those people, both the inventors and anyone else who owns these intellectual property rights known as patents.

Early provisions of this bill, and almost every provision of this bill, make it more difficult for the inventor to protect himself against the theft of huge corporations. And there you go; huge, multinational corporations are seeking to destroy America's patent system.

I have been fighting this for 25 years. They have been fighting it because they want to take the property of American inventors, and they don't want to pay for it—surprise, surprise. So they passed legislation in the name of stopping frivolous lawsuits that prevent people with legitimate lawsuits from actually obtaining the justice they deserve. This will undercut American innovation. It will destroy the individual inventors.

Almost every American university now has come out opposed to this because they have found that the result of this bill, by restricting the people's right to actually defend their own intellectual property rights, will undermine the value—dramatically decrease the value—of patents, which will mean people won't invest in patents, which means the universities now have less resources. Who will benefit? Large corporations, multinational corporations with no loyalty to the United States will then have the power to take from our inventors their inventions.

This is a game changer for American innovation. It is the anti-innovation act. I ask my colleagues to please pay attention to H.R. 9. Don't let them push this over. Don't let this crony capitalism being done using a decoy, meaning the patent trolls, get away from the fact that they are actually trying to destroy the system for legitimate inventors.

As I say, I have been fighting this for 25 years. We have seen this in many forms. The last time, the decoy was submarine patentors. This time it is patent trolls.

The fact is that none of this is an excuse to dramatically decrease the ability of our inventors to own what the Constitution gives them: a 15- to 17-year period where they own what they invented; thus, they can make a profit from it. This would have destroyed all of the young inventors that made such a difference in the American way of life.

We will not be prosperous and we will not be secure unless the American people have the right to the own their intellectual property, unless the inventors that are the basis of many of our new industries know that they will control their patent and that some big corporation won't just come along and steal it.

This goes so far as to limit and to say that, for example, one of the provisions in the bill, if an inventor sues a major company that has stolen his or her patent, well, not only now will the inventor be liable for the costs of the litigation, but anybody who has invested in his patent will then be liable for those court costs. Who the heck will ever invest in an inventor when he is up against a megacorporation? No, we should not be permitting the theft of the intellectual property rights of our inventors.

I would ask my colleagues to pay attention to H.R. 9. I would ask the American people to get ahold of your Congressman and make sure he understands how heinous this bill is that has already, as I say, been opposed by every major university in this country and, of course, every group of inventors in this country.

If it was the Innovation Act, as the title would suggest, why would the inventors be against it?

I would ask my colleagues to join me in opposing H.R. 9 as it is marked up in the Judiciary Committee this coming Thursday.

FREE TRADE IN AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. GRAVES) for 5 minutes.

Mr. GRAVES of Louisiana. Mr. Speaker, I am a big proponent and supporter of free trade. I think the American workforce is so productive. I think that American businesses and our industries are so productive and so innovative that we can compete in the global markets. I am confident that our innovation and that our workforce can compete and we can win, when given an opportunity, again, to compete in global markets.

At home, the U.S. Chamber of Commerce has determined that the State of Louisiana is the top export State in the United States. In fact, one out of every five jobs in our State is tied back to our waterways, and that is because we are home to 5 of the top 15 ports in the United States.

□ 1215

We have an awful lot to export at home. We have a huge petrochemical industry, one of the largest ones in the United States. Large agriculture—in fact, over half the grains from the Midwest from American farms come down through our port system and are then exported around the country, around the world.

We are home to all six class I rail lines, only one of two places in the United States that actually has all six class I rail lines in our State.

Free trade can be good for America; it can be good for our country, good for our businesses, good for our families, if it is fair trade, and that is where my concerns come in, is our ability to compete fairly.

The President said: ''High-standard trade helps level the playing field for American workers''—''high-standard trade helps level the playing field.'' The problem is that, when you compare the cost of compliance in the United States with environmental policies, with tax policies, and with labor regulations, it is not a level playing field in the United States. In fact, it is extraordinarily out of balance.

The National Association of Manufacturers estimates that in 2012 alone, that the American workforce wasted 4.2 billion hours just complying with regulations, 4.2 billion. The Competitive Enterprise Institute estimates that $1.88 trillion in lost economic productivity and higher prices were experienced by the American workforce and by American families across the country, again, $1.88 trillion in 2014.

CEI also did a study that estimated that, for every small business in the United States, for each employee that small business has, that they pay over $11,000 a year just complying with Federal regulations. If the total cost of the aggregate cost of Federal regulations were at GDP—were at gross domestic product—it would rank behind Russia's economy and just ahead of India's economy. There are extraordinary costs. In fact, it is a backdoor way to tax our families.

Eighty-eight percent of the manufacturers in the United States, according to a survey done by NAM, 88 percent identified Federal regulations as being their top concern in regard to their ability to compete on a level playing field.

If you take, for example, tax compliance alone, tax policies are going to cost $1.7 trillion over the next 10 years, as proposed by the current administration, $1.7 trillion on top of all of these other extraordinary costs that I have covered to date.

One of the huge costs that we have in the environmental world is the ozone standard. There has been a proposal to change the ozone standard. Some have said that the ozone standard being proposed, Yellowstone National Park couldn't comply with; yet they want the State of Louisiana, where I represent, to comply with this new ozone standard.

When we had the top—or one of the top petrochemical industries in the United States, that standard is estimated to cost perhaps—it is estimated to be the most expensive Federal regulation in history. It could cost over $2 trillion to comply with the regulation—over $140 billion per year it could cost to comply with the regulation. In our home State of Louisiana alone, nearly 34,000 jobs are estimated to be lost on an annual basis.

Mr. Speaker, I am a proponent of the environment. I spent years and years of my life, of my career, working to restore the environment, working to restore the ecological function of south Louisiana, of our coastal area, of our fisheries, and of our wetlands. I am a big proponent of the environment.

But, Mr. Speaker, I am concerned that, as we move forward with free trade, under the policies being put forth by this administration, American workers are going to have their hands tied behind their back in the cost of complying with environmental regulation, the cost of complying with the expensive tax regulation in the United States, and the cost of extraordinary labor regulation.

I will say in closing, Mr. Speaker, I am a proponent of free trade, but it must be fair trade.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 20 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 2 p.m.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Eternal God, we give You thanks for giving us another day.

As the days grow warmer throughout our land, major legislative issues loom with the potential of warmer debate and disagreement.

Bless the Members of the people's House with the graces they need to engage one another as colleagues of the 114th Congress, entrusted by America's citizens to forge solutions to the major issues facing our time, be they in agriculture, transportation, or areas of national security.

Grant to each an extra measure of wisdom and magnanimity that all might work together for a better future for our great Nation.

May all that is done this day be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. WILSON of South Carolina. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. KILDEE) come forward and lead the House in the Pledge of Allegiance.

Mr. KILDEE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

CYBERATTACK STANDARDS STUDY ACT

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, recent cyber attacks targeting the personal data of Americans make it clear cyber is a new domain of warfare that threatens personal information, financial security, and the physical safety of our citizens. Last week, millions more were affected when the Office of Personnel Management's network was compromised.

This complicated nature of cyber defense means we need a clear standard of measurement for assessing the damage of attacks on our citizens and to affected computer systems and devices. It is for this reason that I have introduced the Cyberattack Standards Study Act today to instruct the Director of National Intelligence, in consultation with the Secretary of Homeland Security, the Director of the FBI, and the Secretary of Defense, to define a method of quantifying cyber incidents for the purpose of determining a response.

Recent cyber attacks are a sobering reminder that Congress, all government agencies, and private companies and citizens need to work together to better protect our public and private networks now.

I appreciate the research of legislative director Taylor Andreae and military fellow Major Jacob Barton for their service in providing the ability to establish this legislation.

In conclusion, God bless our troops and may the President by his actions never forget September the 11th in the global war on terrorism.

SUPPORT THE EXPORT-IMPORT BANK

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, well, once again, the Republican leadership in Congress is bringing us to the brink, this time by endangering hundreds of thousands of good-paying jobs by threatening the Export-Import Bank.

The Export-Import Bank gives American manufacturers the tools that they need to sell U.S. goods overseas. That is direct and real support for American businesses and real jobs for American workers, and it is all at no cost to the taxpayers.

For ideological reasons, this Bank could close by June 30 if Congress does not act. It is more of the same of this sort of reckless brinksmanship and irresponsible behavior that we have seen from the Republican leadership in Congress.

One might ask: Why would you threaten hundreds of thousands of American jobs just to make an ideological point? If you want to make a point, send a letter; don't threaten the American worker to pursue an extreme ideological agenda.

Mr. Speaker, enough is enough. Let's end the political games. Let's get back to the work we were sent here to do and support the Export-Import Bank and our small businesses and the hardworking Americans that depend upon that.

HONORING DR. RICHARD HELTON

(Mr. BUCSHON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BUCSHON. Mr. Speaker, I rise today to honor a fellow Hoosier, Dr. Richard Helton, the retiring president of Vincennes University.

Few have exemplified the university's timeless motto, ''Learn in order to serve,'' more clearly than Dr. Helton. Under his dynamic leadership, this 214-year-old institution founded by our ninth President, William Henry Harrison, has become a cutting-edge center for career and technical education that offers students tangible, employable skills and an opportunity for lifelong growth.

Throughout his career, Dr. Helton has maintained a commitment to public education that has positively impacted the lives of countless students. Our State has benefited greatly from his vision and will forever be indebted for his service.

Best wishes to Dick and Cindy Helton in the future ahead.

EXPORT-IMPORT BANK

(Mr. HINOJOSA asked and was given permission to address the House for 1 minute.)

Mr. HINOJOSA. Mr. Speaker, as of today, we have only 11 more legislative days to act in order to reauthorize the Export-Import Bank.

Reauthorizing the Bank is common sense. Sadly, however, the opponents of the Bank are operating out of ideological fervor, not on facts. We should be here dealing with and solving real problems, not endangering American jobs with fantastical ideology.

The truth of the matter is that the Bank is a vital free market economic engine for our manufacturers, for exporters, and job creators. Last year alone, the Bank financed $4 billion worth of exports in my home State of Texas, supporting thousands of hardworking Americans.

We cannot and should not let the Bank expire. Let's put an end to this nonsense.

Mr. Speaker, I want to vote in our House of Representatives on this issue.

WORLD WAR II VETERAN SERGEANT HARRISON DOYLE

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BILIRAKIS. Mr. Speaker, today, I rise to talk about one of my heroic constituents, World War II veteran Sergeant Harrison Doyle.

Sergeant Doyle was assigned the task of recreating maps as a cartographer based on the remains of destroyed Nazi maps and aerial photography.

Sergeant Doyle served in three theaters, including the Battle of the Bulge. His contributions were crucial in recreating the topography into maps that were used to win the Battle of the Bulge.

Dedicated caseworkers in my office were able to help him recover lost personnel records. They worked tirelessly to get Sergeant Doyle's personnel records and medals, including the European-African-Middle East Campaign with Bronze Star attachment to give him the recognition he deserves.

I am honored to represent Sergeant Doyle. Helping heroes like him and any constituents being stonewalled by a Federal agency makes this job more meaningful.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3 p.m. today.

Accordingly (at 2 o'clock and 9 minutes p.m.), the House stood in recess.

□ 1502

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 3 o'clock and 2 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

UNITED STATES GRAIN STANDARDS ACT REAUTHORIZATION ACT OF 2015

Mr. CONAWAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2088) to amend the United States Grain Standards Act to improve inspection services performed at export elevators at export port locations, to reauthorize certain authorities of the Secretary of Agriculture under such Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2088

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''United States Grain Standards Act Reauthorization Act of 2015''.

SEC. 2. REAUTHORIZATION OF UNITED STATES GRAIN STANDARDS ACT.

(a) POLICY AND PURPOSE OF ACT.—Section 2(b) of the United States Grain Standards Act (7 U.S.C. 74(b)) is amended—

(1) in paragraph (1), by striking ''to both domestic and foreign buyers'' and inserting ''responsive to the purchase specifications of domestic and foreign buyers'';

(2) by striking ''and'' at the end of paragraph (2);

(3) by striking the period at the end of paragraph (3) and inserting ''; and''; and

(4) by adding at the end the following new paragraph:

''(4) to provide an accurate, reliable, consistently available, and cost-effective official grain inspection and weighing system.''.

(b) DEFINITIONS.—

(1) MAJOR DISASTER DEFINED.—Section 3 of the United States Grain Standards Act (7 U.S.C. 75) is amended by adding at the end the following new paragraph:

''(aa) The term 'major disaster' has the meaning given that term in section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2)), except that the term includes a severe weather incident causing a region-wide interruption of government services.''.

(2) CONFORMING AMENDMENTS.—Section 3 of the United States Grain Standards Act (7 U.S.C. 75) is further amended—

(A) in the matter preceding paragraph (a), by striking ''otherwise–'' and inserting ''otherwise:'';

(B) by striking ''the term'' at the beginning of each paragraph (other than paragraphs (n) and (t)) and inserting ''The term'';

(C) in paragraph (i)—

(i) by striking ''Act (the term'' and inserting ''Act. The term''; and

(ii) by striking '');'' and inserting a period;

(D) in paragraphs (n) and (t), by striking ''the terms'' and inserting ''The terms'';

(E) in paragraph (o)—

(i) by striking ''personnel (the term'' and inserting ''personnel. The term''; and

(ii) by striking '');'' and inserting a period;

(F) in paragraph (s), by striking ''the verb'' and inserting ''The verb'';

(G) in paragraph (x)—

(i) by striking ''conveyance (the terms'' and inserting ''conveyance. The terms''; and

(ii) by striking ''accordingly);'' and inserting ''accordingly.'';

(H) by striking the semicolon at the end of each paragraph (other than paragraphs (i), (o), (x), and (y)) and inserting a period; and

(I) in paragraph (y), by striking ''; and'' and inserting a period.

(c) OFFICIAL INSPECTION AND WEIGHING REQUIREMENTS.—

(1) DISCRETIONARY WAIVER AUTHORITY.—Section 5(a)(1) of the United States Grain Standards Act (7 U.S.C. 77(a)(1)) is amended in the first proviso by striking ''may waive the foregoing requirement in emergency'' and inserting ''shall promptly waive the foregoing requirement in the event of an emergency, a major disaster,''.

(2) WEIGHING REQUIREMENTS AT EXPORT ELEVATORS.—Section 5(a)(2) of the United States Grain Standards Act (7 U.S.C. 77(a)(2)) is amended by striking ''intracompany shipments of grain into an export elevator by any mode of transportation, grain transferred into an export elevator by transportation modes other than barge,'' and inserting ''shipments of grain into an export elevator by any mode of transportation''.

(d) DELEGATION OF OFFICIAL INSPECTION AUTHORITY.—

(1) AUTHORIZED INSPECTION PERSONNEL AT EXPORT ELEVATORS AT EXPORT PORT LOCATIONS.—Paragraph (1) of section 7(e) of the United States Grain Standards Act (7 U.S.C. 79(e)) is amended to read as follows:

''(1) Except as otherwise provided in paragraphs (3) and (4) of this subsection, the Secretary shall cause official inspection at export elevators at export port locations, for all grain required or authorized to be inspected by this Act, to be performed—

''(A) by official inspection personnel employed by the Secretary; or

''(B) by other persons under contract with the Secretary as provided in section 8 of this Act.''.

(2) DELEGATION TO STATE AGENCIES.—Section 7(e) of the United States Grain Standards Act (7 U.S.C. 79(e)) is amended—

(A) in paragraph (2)—

(i) by striking '', meets the criteria'' and all that follows through ''the Secretary may delegate'' and inserting ''and meets the criteria specified in subsection (f)(1)(A) of this section, the Secretary may delegate'';

(ii) by striking ''at export port locations within the State, including export port locations'' and inserting ''at export elevators at export port locations within the State, including at export elevators at export port locations''; and

(iii) in the last sentence, by striking ''Any such delegation'' and inserting ''The delegation under this paragraph of authority to conduct official inspection services shall be for a term not to exceed five years, and may be renewed thereafter in accordance with this subsection, except that any such delegation'';

(B) by transferring paragraph (4) to the end of subsection (f), redesignating such paragraph as paragraph (5), and, in such paragraph, by striking ''or subsection (f)'' and inserting ''or subsection (e)''; and

(C) by striking paragraph (3) and inserting the following new paragraphs:

''(3) Prior to delegating authority to a State agency for the performance of official inspection services at export elevators at export port locations pursuant to paragraph (2) of this subsection, the Secretary shall comply with the following:

''(A) Upon receipt of an application from a State agency requesting the delegation of authority to perform official inspection services on behalf of the Secretary, publish notice of the application in the Federal Register and provide a minimum 30-day comment period on the application.

''(B) Evaluate the comments received under subparagraph (A) with respect to an application and conduct an investigation to determine whether the State agency that submitted the application and its personnel are qualified to perform official inspection services on behalf of the Secretary. In conducting the investigation, the Secretary shall consult with, and review the available files of the Department of Justice, the Office of Inspector General of the Department of Agriculture, and the Government Accountability Office.

''(C) Make findings based on the results of the investigation and consideration of public comments received.

''(D) Publish a notice in the Federal Register announcing whether the State agency has been delegated the authority to perform official inspection services at export elevators at export port locations on behalf of the Secretary, and the basis upon which the Secretary has made the decision.

''(4)(A) Except in the case of a major disaster, if a State agency that has been delegated the authority to perform official inspection services at export elevators at export port locations on behalf of the Secretary fails to perform such official services, the Secretary shall submit to Congress, within 90 days after the first day on which inspection services were not performed by the delegated State agency, a report containing—

''(i) the reasons for the State agency's failure; and

''(ii) the rationale as to whether or not the Secretary will permit the State agency to retain its delegated authority.

''(B) A State agency may request that the delegation of inspection authority to the agency be canceled by providing written notice to the Secretary at least 90 days in advance of the requested cancellation date.

''(C) If a State agency that has been delegated the authority under paragraph (2) of this subsection to perform official inspection services at an export elevator at an export port location on behalf of the Secretary intends to temporarily discontinue such official inspection services or weighing services for any reason, except in the case of a major disaster, the State agency shall notify the Secretary in writing of its intention to do so at least 72 hours in advance of the discontinuation date. The receipt of such prior notice shall be considered by the Secretary as a mitigating factor in determining whether to maintain or revoke the delegation of authority to the State agency.''.

(3) CONFORMING AMENDMENTS.—(A) Section 7(f)(1) of the United States Grain Standards Act (7 U.S.C. 79(f)(1)) is amended by striking ''other than at export port locations'' and inserting ''(other than at an export elevator at an export port location)''.

(B) Section 16(d) of the United States Grain Standards Act (7 U.S.C. 87e(d)) is amended by striking ''The Office of Investigation of the Department of Agriculture (or such other organization or agency within the Department of Agriculture which may be delegated the authority, in lieu thereof, to conduct investigations on behalf of the Department of Agriculture)'' and inserting ''The Office of Inspector General of the Department of Agriculture''.

(4) EVALUATION OF CURRENT DELEGATIONS.—Not later than two years after the date of the enactment of this Act, the Secretary of Agriculture shall complete a review of each State agency that, as of the date of the enactment of this Act, has been delegated inspection authority under section 7(e) of the United States Grain Standards Act (7 U.S.C. 79(e)) and determine if the State agency is qualified to continue to perform official inspection services at export elevators at export port locations on behalf of the Secretary under such section, as amended by this subsection. The Secretary shall conduct the review subject to the requirements of section 7(e) of the United States Grain Standards Act (7 U.S.C. 79(e)), as amended by this subsection, and a State agency determined to be qualified to continue to perform such official inspection services shall be subject thereafter to such requirements.

(e) CONTINUITY OF OPERATIONS.—Section 7(e) of the United States Grain Standards Act (7 U.S.C. 79(e)) is further amended by inserting after paragraph (4), as added by subsection (d), the following new paragraphs:

''(5) Except in the case of a major disaster, the Secretary shall cause official inspections at an export elevator at an export port location—

''(A) to be performed without interruption by official inspection personnel employed by the Secretary or by a State agency delegated such authority under paragraph (2) of this subsection; or

''(B) if interrupted, to be resumed at the export elevator by utilizing official inspection personnel employed by the Secretary or by another delegated State agency as provided under paragraph (2) of this subsection as follows:

''(i) Within six hours after the interruption, if the interruption is caused by a State agency delegated such authority under this subsection and the Secretary received advance notice of the interruption pursuant to paragraph (4)(C) of this subsection.

''(ii) Within 12 hours after the interruption, if the State agency failed to provide the required advance notice of the interruption.

''(6)(A) If the Secretary is unable to restore official inspection services within the applicable time period required by paragraph (5)(B) of this subsection, the interested person requesting such services at the export elevator at an export port location shall be authorized to utilize official inspection personnel, as provided under section 8 of the Act, employed by another State agency delegated authority under paragraph (2) of this subsection or designated under subsection (f)(1) of this section.

''(B) A delegated or designated State agency providing inspection services under subparagraph (A) may, at its discretion, provide such services for a period of up to 90 days from the date on which the services are initiated, after which time the Secretary may restore official inspection services using official inspection personnel employed by the Secretary or a State agency delegated such authority under this subsection, if available. The State agency shall notify the Secretary in writing of its intention to discontinue inspection services under subparagraph (A) at least 72 hours in advance of the discontinuation date.

''(7) Not later than 60 days after the date of the enactment of this paragraph, the Secretary shall make available to the public, including pursuant to a website maintained by the Secretary, a list of all delegated States and all official agencies authorized to perform official inspections on behalf of the Secretary. This list shall include the name, contact information, and category of authority granted. The Secretary shall update the list at least semiannually.''.

(f) GEOGRAPHIC BOUNDARIES FOR OFFICIAL AGENCIES.—

(1) OFFICIAL INSPECTION AUTHORITY.—Section 7(f)(2) of the United States Grain Standards Act (7 U.S.C. 79(f)(2)) is amended by striking ''the Secretary may'' and all that follows through the end of the paragraph and inserting the following: ''the Secretary shall

allow a designated official agency to cross boundary lines to carry out inspections in another geographic area if—

''(A) the current designated official agency for that geographic area is unable to provide inspection services in a timely manner;

''(B) a person requesting inspection services in that geographic area requests a probe inspection on a barge-lot basis; or

''(C) the current official agency for that geographic area agrees in writing with the adjacent official agency to waive the current geographic area restriction at the request of the applicant for service.''.

(2) WEIGHING AUTHORITY.—Section 7A(i)(2) of the United States Grain Standards Act (7 U.S.C. 79a(i)(2)) is amended by striking ''the Secretary may'' and all that follows through the end of the paragraph and inserting the following: ''the Secretary shall allow a designated official agency to cross boundary lines to carry out weighing in another geographic area if—

''(A) the current designated official agency for that geographic area is unable to provide weighing services in a timely manner; or

''(B) the current official agency for that geographic area agrees in writing with the adjacent official agency to waive the current geographic area restriction at the request of the applicant for service.''.

(g) DURATION OF DESIGNATIONS OF OFFICIAL AGENCIES.—Section 7(g)(1) of the United States Grain Standards Act (7 U.S.C. 79(g)(1)) is amended by striking ''triennially'' and inserting ''every five years''.

(h) INSPECTION FEES.—

(1) COLLECTION AND AMOUNTS.—Section 7(j)(1) of the United States Grain Standards Act (7 U.S.C. 79(j)(1)) is amended—

(A) by inserting ''(A)'' after ''(1)'';

(B) by adding at the end the following new subparagraph:

''(B) For official inspections and weighing at an export elevator at an export port location performed by the Secretary, performed by a State agency delegated the authority to perform official inspection services at the export elevator on behalf of the Secretary, or performed by a State agency utilized as authorized by subsection (e)(6)(A), the portion of the fees based upon export tonnage shall be based upon a rolling five-year average of export tonnage volumes. In order to maintain an operating reserve of between three to six months, the Secretary shall adjust such fees at least annually.''.

(2) DURATION OF AUTHORITY.—Section 7(j)(4) of the United States Grain Standards Act (7 U.S.C. 79(j)(4)) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

(i) OFFICIAL WEIGHING OR SUPERVISION AT LOCATIONS WHERE OFFICIAL INSPECTION IS PROVIDED OTHER THAN BY THE SECRETARY.—Section 7A(c)(2) of the United States Grain Standards Act (7 U.S.C. 79a(c)(2)) is amended—

(1) in the first sentence, by striking ''with respect to export port locations'' and inserting ''with respect to an export elevator at an export port location''; and

(2) in the last sentence by striking ''subsection (g) of section 7'' and inserting ''subsection (e) and (g) of section 7''.

(j) COLLECTION OF FEES FOR WEIGHING SERVICES.—Section 7A(l)(3) of the United States Grain Standards Act (7 U.S.C. 79a(l)(2)) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

(k) LIMITATION AND ADMINISTRATIVE AND SUPERVISORY COSTS.—Section 7D of the United States Grain Standards Act (7 U.S.C. 79d) is amended by striking ''2015'' and inserting ''2020''.

(l) ISSUANCE OF AUTHORIZATIONS.—

(1) DURATION.—Section 8(b) of the United States Grain Standards Act (7 U.S.C. 84(b)) is amended by striking ''triennially'' and inserting ''every five years''.

(2) PERSONS WHO MAY BE HIRED AS OFFICIAL INSPECTION PERSONNEL.—Section 8(e) of the United States Grain Standards Act (7 U.S.C. 84(e)) is amended—

(A) by striking ''(on the date of enactment of the United States Grain Standards Act of 1976)'';

(B) by striking ''the United States Grain Standards Act'' and inserting ''this Act''; and

(C) by striking '', on the date of enactment of the United States Grain Standards Act of 1976, was performing'' and inserting ''performs''.

(m) AUTHORIZATION OF APPROPRIATIONS.—Section 19 of the United States Grain Standards Act (7 U.S.C. 87h) is amended by striking ''2015'' and inserting ''2020''.

(n) EXPIRATION OF ADVISORY COMMITTEE.—Section 21(e) of the United States Grain Standards Act (7 U.S.C. 87j(e)) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

(o) TECHNICAL CORRECTIONS.—Section 17B(b) of the United States Grain Standards Act (7 U.S.C. 87f–2(b)) is amended—

(1) by striking ''notwithstanding the provisions of section 812 of the Agricultural Act of 1970, as added by the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c–3)'' and inserting ''notwithstanding section 602 of the Agricultural Trade Act of 1978 (7 U.S.C. 5712)''; and

(2) by striking ''or the Secretary''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. CONAWAY) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. CONAWAY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CONAWAY. Mr. Speaker, I yield myself as much time as I may consume, and rise today in support of H.R. 2088, the United States Grain Standards Act Reauthorization Act of 2015.

Mr. Speaker, for nearly 100 years, the United States Grain Standards Act has been the cornerstone of the vibrant grain trade, both domestically and internationally. This law is relied upon not only by exporters and domestic shippers but the entire U.S. agricultural sector.

The law establishes official marketing standards and procedures for the inspection and weighing of grains and oilseeds, and I would like to underscore the importance this law has played in establishing value and price-discovery in the grain and oilseed marketplace.

Many of the provisions in this current law are set to expire on September 30 of this year. A lapse in authorization would disrupt export weighing and grading services, imposing heavy burdens on farmers, merchants, traders, inspectors and, ultimately, consumers. We should not delay in passing this reauthorization.

I cannot emphasize enough: it is imperative that these inspections and weighing services are provided in a reliable, uninterrupted, consistent, and cost-effective manner. To ensure that we fulfill this obligation, we must provide a safeguard to ensure we avoid disruptions in service like the one that took place last year in Washington State.

The Washington State Department of Agriculture currently provides inspection and weighing services for grain intended for export at the Port of Vancouver. USDA's Federal Grain Inspection Service has delegated this responsibility to the Washington State Department of Agriculture. In the event that the Washington State Department of Agriculture cannot provide services for any reason, then the Federal Government, through FGIS inspectors, are statutorily required to step in and resume inspection and weighing services.

That is not what happened last summer. Amid an ongoing labor dispute, WSDA discontinued services. In statements issued at the time, WSDA, the State-based program, acknowledged they withheld inspection services because of their belief that ''the continued provision of inspection services appears to be unhelpful in leading to a foreseeable resolution'' of the labor dispute.

Instead of fulfilling their statutory obligation, the leadership of the USDA politicized this situation when the agency also declined to fulfill its statutory responsibility to resume inspection and grain and weighing services. Services were eventually restored, but not before significant costs accrued to all parties involved.

We have worked hard to gain access to overseas markets. We are shooting ourselves in the foot when we cannot ship our products to these markets because State and Federal agencies are unable or unwilling to comply with their obligations. The inability to ship our grain because there are no inspectors at a facility does a disservice to our farmers, and it harms our economy.

To address this situation, we could have been punitive. In fact, there were some who would have preferred that we do just that. But that is not what we have done and had no interest in doing. We simply want a safeguard mechanism to avoid this situation being repeated.

To do that, we worked with the State of Washington delegation, the Washington State Department of Agriculture, labor unions, the grain trade industry, and USDA. What we developed was a bipartisan consensus on a workable safeguard provision.

I am pleased with this work product, and I appreciate the help and support of Ranking Member PETERSON, Subcommittee Chairman CRAWFORD, and Subcommittee Ranking Member WALZ,

as well as Representatives from Washington State, both on and off the committee, for their advice and counsel as we developed this legislation.

H.R. 2088 provides a certainty to American agriculture, and I would urge my colleagues to vote ''yes'' on this bill.

Mr. Speaker, I reserve the balance of my time.

Mr. WALZ. Mr. Speaker, I yield myself such time as I may consume, and I, too, rise in support of the U.S. Grain Standards Act Reauthorization Act, H.R. 2088.

I would like to, first of all, thank the chairmen of the full committee and of the subcommittee, both of whom provided great leadership, provided the necessary space to get all parties together, and then provided for a final product that meets all of the necessary requirements that you heard the chairman talk about.

I think it is well known that U.S. grain producers produce the highest quality grain in the world. It is the inspections of them, the gold standard of assuring that quality, backed by the Federal Government, that allows us to continue this trade. I think no one here wants to see any interruption to that service. No one here wants to see any lowering of the quality that we have.

So this piece of legislation, I think, in the best tradition of the Agriculture Committee and this House, was a true, bipartisan compromise. It was working to find working solutions that made those things happen, and I would urge my colleagues to support this piece of legislation.

This is how we are supposed to do business. This honors those producers of our grain and makes sure that business and capital flow correctly, and it makes sure that there are standards in place to ensure that our buyers of U.S. grain know that they are getting the world's highest quality product.

Mr. Speaker, I reserve the balance of my time.

Mr. CONAWAY. Mr. Speaker, I yield 3 minutes to the gentleman from Arkansas (Mr. CRAWFORD), the subcommittee chairman.

Mr. CRAWFORD. Mr. Speaker, I thank the chairman for his leadership on this and certainly want to thank the ranking member of the full committee as well and my friend, the gentleman from Minnesota, who serves as the ranking member on our subcommittee.

This is a great piece of bipartisan legislation. As has been noted here, this is about 100 years since this has been signed into law, and the grain trade has thrived over that century. GSA has supported its evolution by providing a backbone of stability relied upon by exporters, shippers, farmers, and, of course, consumers.

With the farm economy and so many of our constituents relying on the ability of grain and oilseeds to get to market, it is critical that we act to provide stability for the grain trade, like we are doing here today.

This legislation accomplishes that goal in the following two ways. Many of the provisions in current law are set to expire on September 30 of this year. A lapse in that authorization would disrupt the current grain inspections process; therefore, Congress should not delay in passing its reauthorization. The House is getting its job done well ahead of schedule by considering this bill today, and I hope my colleagues in the Senate will act soon as well.

Secondly, this legislation provides stability by ensuring we can avoid disruptions like that which took place last year in Washington State, which was alluded to earlier by the chairman. Last summer, the Washington State Department of Agriculture discontinued its export inspections amid an ongoing labor dispute. Since labor disputes do happen from time to time, this kind of situation was anticipated by our predecessors, which is why current law provides a mechanism for USDA to step in and provide inspection services in the event of a disruption.

However, the dispute devolved into a political situation in which the Secretary of Agriculture declined to use his discretionary authority to maintain inspections. While inspection services were eventually restored, it is critical we avoid a repeat of that unfortunate decision.

Fortunately, the Agriculture Committee arrived at a bipartisan consensus and found a way to avoid any future disruptions to the grain trade by giving the industry more control of its own destiny.

I urge support from my colleagues for this vital legislation. I thank the committee for all of its hard work to move this bill forward.

Mr. WALZ. Mr. Speaker, again, I have no further speakers on my side. I can't stress enough my thanks for working this out. It was, at times, a somewhat delicate situation, but leadership from my friends on the Republican side, bringing in folks, all engaged parties in this, helped us find a great compromise.

I, too, would urge our colleagues in the Senate to take up this piece of legislation, move it forward, and give certainty to those producers who feed, clothe, and power the world. I urge our colleagues here, let's just pass this thing and get further work done.

Mr. Speaker, I yield back the balance of my time.

Mr. CONAWAY. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I appreciate my colleagues' comments, both the ranking member as well as the chairman of the subcommittee. We did work in a bipartisan manner. We worked out the differences of the bill, came up with a good work product. It is worthy of the system.

I would like to, again, emphasize, as my colleague from Arkansas did, we are actually getting this done ahead of time. These rules aren't out-of-date yet. And so I would encourage my colleagues in the Senate to follow our example and get it done quickly so we can get this to the President's desk. I urge support of the bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. CONAWAY) that the House suspend the rules and pass the bill, H.R. 2088, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

MANDATORY PRICE REPORTING ACT OF 2015

Mr. CONAWAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2051) to amend the Agricultural Marketing Act of 1946 to extend the livestock mandatory price reporting requirements, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2051

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE .

This Act may be cited as the ''Mandatory Price Reporting Act of 2015''.

SEC. 2. EXTENSION OF LIVESTOCK MANDATORY REPORTING.

(a) EXTENSION OF AUTHORITY.—Section 260 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1636i) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

(b) EMERGENCY AUTHORITY.—Section 212(12)(C) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635a(12)(C)) is amended by inserting '', including any day on which any Department employee is on shutdown or emergency furlough as a result of a lapse in appropriations'' after ''conduct business''.

(c) CONFORMING AMENDMENT.—Section 942 of the Livestock Mandatory Reporting Act of 1999 (7 U.S.C. 1635 note; Public Law 106–78) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2020''.

SEC. 3. SWINE REPORTING.

(a) DEFINITIONS.—Section 231 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635i) is amended—

(1) by redesignating paragraphs (9) through (22) as paragraphs (10) through (23), respectively;

(2) by inserting after paragraph (8) the following new paragraph:

''(9) NEGOTIATED FORMULA PURCHASE.—The term 'negotiated formula purchase' means a purchase of swine by a packer from a producer under which—

''(A) the pricing mechanism is a formula price for which the formula is determined by negotiation on a lot-by-lot basis; and

''(B) the swine are scheduled for delivery to the packer not later than 14 days after the date on which the formula is negotiated and swine are committed to the packer.'';

(3) in paragraph (12)(A) (as so redesignated), by inserting ''negotiated formula purchase,'' after ''pork market formula purchase,''; and

(4) in paragraph (23) (as so redesignated)—

(A) in subparagraph (C), by striking ''and'' at the end;

(B) by redesignating subparagraph (D) as subparagraph (E); and

(C) by inserting after subparagraph (C) the following new subparagraph:

''(D) a negotiated formula purchase; and''.

(b) DAILY REPORTING.—Section 232(c) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635j(c)) is amended—

(1) in paragraph (1)(D), by striking clause (ii) and inserting the following new clause:

''(ii) PRICE DISTRIBUTIONS.—The information published by the Secretary under clause (i) shall include—

''(I) a distribution of net prices in the range between and including the lowest net price and the highest net price reported;

''(II) a delineation of the number of barrows and gilts at each reported price level or, at the option of the Secretary, the number of barrows and gilts within each of a series of reasonable price bands within the range of prices; and

''(III) the total number and weighted average price of barrows and gilts purchased through negotiated purchases and negotiated formula purchases.''; and

(2) in paragraph (3), by adding at the end the following new subparagraph:

''(C) LATE IN THE DAY REPORT INFORMATION.—The Secretary shall include in the morning report and the afternoon report for the following day any information required to be reported under subparagraph (A) that is obtained after the time of the reporting day specified in such subparagraph.''.

SEC. 4. LAMB REPORTING.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture shall revise section 59.300 of title 7, Code of Federal Regulations, so that—

(1) the definition of the term ''importer''—

(A) includes only those importers that imported an average of 1,000 metric tons of lamb meat products per year during the immediately preceding 4 calendar years; and

(B) may include any person that does not meet the requirement referred to in subparagraph (A), if the Secretary determines that the person should be considered an importer based on their volume of lamb imports; and

(2) the definition of the term ''packer''—

(A) applies to any entity with 50 percent or more ownership in a facility;

(B) includes a federally inspected lamb processing plant which slaughtered or processed the equivalent of an average of 35,000 head of lambs per year during the immediately preceding 5 calendar years; and

(C) may include any other lamb processing plant that did not meet the requirement referred to in subparagraph (B), if the Secretary determines that the processing plant should be considered a packer after considering its capacity.

SEC. 5. STUDY ON LIVESTOCK MANDATORY REPORTING.

(a) IN GENERAL.—The Secretary of Agriculture, acting through the Agricultural Marketing Service in conjunction with the Office of the Chief Economist and in consultation with cattle, swine, and lamb producers, packers, and other market participants, shall conduct a study on the program of information regarding the marketing of cattle, swine, lambs, and products of such livestock under subtitle B of the Agricultural Marketing Act of 1946 (7 U.S.C. 1635 et seq.). Such study shall—

(1) analyze current marketing practices in the cattle, swine, and lamb markets;

(2) identify legislative or regulatory recommendations made by cattle, swine, and lamb producers, packers, and other market participants to ensure that information provided under such program—

(A) can be readily understood by producers, packers, and other market participants;

(B) reflects current marketing practices; and

(C) is relevant and useful to producers, packers, and other market participants;

(3) analyze the price and supply information reporting services of the Department of Agriculture related to cattle, swine, and lamb; and

(4) address any other issues that the Secretary considers appropriate.

(b) REPORT.—Not later than January 1, 2020, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report containing the findings of the study conducted under subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. CONAWAY) and the gentleman from Minnesota (Mr. WALZ) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. CONAWAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CONAWAY. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of H.R. 2051, the Mandatory Price Reporting Act of 2015.

I want to begin by thanking my colleagues on the Agriculture Committee, Ranking Member PETERSON and Congressman ROUZER, for joining me in introducing this legislation. I am especially appreciative of Mr. ROUZER's work as subcommittee chairman in holding a hearing to foster discussions that led to this important legislation.

Mr. Speaker, H.R. 2051 is a bill to reauthorize the Livestock Mandatory Reporting Act of 1999. This bill, like the underlying act and each subsequent reauthorization, has been the result of dialogue and consensus between livestock producers and other industry participants.

I would like to extend my gratitude to our Nation's livestock producers, capably represented by their trade associations—the National Cattlemen's Beef Association, the National Pork Producers Council, and the American Sheep Industry Association—for their hard work and dedication on this effort.

We fully understand that government mandates, like price reporting, can be onerous, and that not all industry participants may fully embrace this program.

That said, it is apparent that over the preceding 16 years, mandatory reporting has become an essential tool that allows for greater transparency and price discovery within the livestock industry, especially as the industry continues to evolve.

This reauthorization contains a number of industry-specific modifications proposed by the pork producers and sheep producers. We, likewise, include a provision that responds generally to industry concern regarding USDA's arbitrary decision to shut this mandatory program down for several days during the lapse in appropriations that occurred in 2013, while other mandatory programs were deemed essential.

Following extensive negotiations, the cattlemen have opted to support a simple reauthorization without any statutory modifications. I appreciate their hard work and look forward to continuing to work with them on future improvements that they may choose to pursue.

Mr. Speaker, this is a simple, bipartisan reauthorization that represents consensus among industry participants. I urge Members to support this bill, and I reserve the balance of my time.

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Mr. WALZ. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of the Mandatory Price Reporting Act of 2015.

Mr. Speaker, I would say let's hope that what you see is a pattern developing here: smart, bipartisan legislation passed in a timely fashion to make sure this country's business goes on uninterrupted.

You heard it from the chairman, these programs are important for producers, who rely on access to transparent, accurate, and timely market information. The bill makes an important change to mandatory price reporting by making it an ''essential'' government program.

As you also heard, the 2013 government shutdown disrupted price reporting. This designation will ensure that, if we ever find ourselves in that situation again, price reporting will continue on. This is the very least we can do for the hard-working folks who are out there. It gives our producers the certainty that it will be there. It is the right thing to do. Again, it is smart; it is bipartisan; it is timely. And I would urge my colleagues not only to support this, but to make this a habit in much of what we do.

I yield back the balance of my time.

Mr. CONAWAY. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. ROUZER), chairman of the Subcommittee on Livestock and Foreign Agriculture.

Mr. ROUZER. Mr. Speaker, I want to thank the chairman for his good and hard work on this important piece of legislation.

As chairman of the Livestock and Foreign Agriculture Subcommittee in which the Mandatory Price Reporting Act originated, I too want to thank the stakeholders for their hard work in coming together on the provisions of this bill.

Mandatory price reporting was developed in response to changing markets, with an increasing number of animals being sold with little information publicly accessible. As these structural changes continued, livestock producers requested that price reporting be made mandatory.

Even today, livestock markets are continuing to evolve, and it was the

goal and intent of the committee to bring all parties together to strike a balance that promotes fairness, transparency, and stability in the market. No one knows how to make this process work better than those directly involved, and I appreciate the willingness of these stakeholders to work together with the committee to craft this legislation.

I also look forward to working with our Senate colleagues to continue the tradition of a healthy dialogue between both Chambers of Congress, producers, and packers on this reauthorization so that we can make sure that the requested modifications are executed as smoothly as possible.

In closing, I would like to again thank Chairman CONAWAY, Ranking Member COLLIN PETERSON, and the committee staff for their tremendous help and guidance.

Mr. Speaker, I commend this legislation to my colleagues, and I appreciate their support.

Mr. CONAWAY. Mr. Speaker, I yield myself the remainder of the time.

Mr. Speaker, I too want to thank my colleagues across the aisle as well as colleagues on the committee with me, but I also was remiss earlier in not thanking the dedicated staff of the Ag Committee that worked on the grain standards bill and the group that has worked on this one as well.

We are blessed. Our country is blessed to have dedicated professionals on both sides of the aisle and the committee staff who do a great job working together, trying to avoid the kind of partisanship that sometimes permeates this body.

Again, I rise in support of this mandatory price reporting reauthorization. I will remind my colleagues that this does not expire until September 30 of this year. We are actually ahead of the curve and would commend this process to the House on other important issues like that. I ask my colleagues to support the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. CONAWAY) that the House suspend the rules and pass the bill, H.R. 2051, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NATIONAL FOREST FOUNDATION REAUTHORIZATION ACT OF 2015

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2394) to reauthorize the National Forest Foundation Act, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2394

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Forest Foundation Reauthorization Act of 2015''.

SEC. 2. NATIONAL FOREST FOUNDATION ACT REAUTHORIZATION.

(a) EXTENSION OF AUTHORITY TO PROVIDE MATCHING FUNDS FOR ADMINISTRATIVE AND PROJECT EXPENSES.—Section 405(b) of the National Forest Foundation Act (16 U.S.C. 583j–3(b)) is amended by striking ''for a period of five years beginning October 1, 1992'' and inserting ''during fiscal years 2016 through 2018''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 410(b) of the National Forest Foundation Act (16 U.S.C. 583j–8(b)) is amended by striking ''during the five-year period'' and all that follows through ''$1,000,000 annually'' and inserting ''there are authorized to be appropriated $3,000,000 for each of fiscal years 2016 through 2018''.

(c) TECHNICAL CORRECTIONS.—

(1) AGENT.—Section 404(b) of the National Forest Foundation Act (16 U.S.C. 583j–2(b)) is amended by striking ''under this paragraph'' and inserting ''by subsection (a)(4)''.

(2) ANNUAL REPORT.—Section 407(b) of the National Forest Foundation Act (16 U.S.C. 583j–5(b)) is amended by striking the comma after ''The Foundation shall''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. THOMPSON) and the gentlewoman from New Mexico (Ms. MICHELLE LUJAN GRISHAM) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 2394, the National Forest Foundation Reauthorization Act of 2015.

The National Forest Foundation has a simple mission: bring people together to restore and enhance our national forests and grasslands. Through the foundation, we are able to leverage private and Federal dollars to support our Nation's great forests in a variety of ways. These include: planting trees, preserving wildlife habitat, surveying streams, restoring and maintaining trails, and the list goes on.

In recent years, the foundation has leveraged funds at over a four to one ratio and plans to continue on this success to raise at least $125 million for forest restoration activities.

Since its charter in 1993, the foundation has been essential in helping to meet the challenges the National Forest System faces. Accomplishments include: over 14,000 miles of trail restored or maintained; nearly 4.4 million trees and shrubs planted; more than 500,000 acres of fuel reduction completed or planned; over 120,000 people volunteered more than 1.5 million hours with an estimated value of $34 million; over 46,000 youth employed or engaged; approximately 80,000 acres of invasive weeds treated; over 117,000 acres of wildlife habitat restored or maintained; and more than 3,000 miles of streams surveyed or restored.

The foundation has also taken it upon itself to educate and engage the American public on the importance of our national forests as well as the natural resources found within them. It is an integral component in keeping our national forests—such as the Allegheny national forest, in my district, and dozens of other national forests around the country—viable and thriving for years to come.

Simply put, the National Forest Foundation works, and this is a commonsense reauthorization. I urge my colleagues to vote ''yes.''

I reserve the balance of my time.

Ms. MICHELLE LUJAN GRISHAM. Mr. Speaker, I yield myself such time as I may consume.

I thank my colleague from Pennsylvania for his work on this legislation and also for his work and dedication on the Conservation and Forestry Subcommittee, which we lead together.

Mr. Speaker, I rise in support of this legislation. The National Forest Foundation Reauthorization Act will allow the public-private partnership responsible for the stewardship and management of our national forests and grasslands to continue.

This legislation would reauthorize the National Forest Foundation's matching funds program. This important program brings non-Federal partners and stakeholders together to keep our forests healthy and less prone to fire. In practice, this has generated more than $4 for our forests for every Federal dollar invested.

I have seen the benefits of this program in my own district. Since 2010, the New Mexico Wilderness Alliance has received grants from the National Forest Foundation to assist the Forest Service in conducting surveys and data collection on the wilderness areas within the New Mexico national forests. This data has helped the Forest Service combat invasive species and improve forest health in the Cibola, Carson, and Santa Fe National Forests.

Our national forests are in dire need of this type of management and restoration in order to maintain valuable ecosystems and prevent devastating and costly wildfires.

New Mexico, like many other States in the Southwest, has been experiencing severe drought; and, as a result, we have had record-breaking fires that have burned hundreds of thousands of acres and have caused millions of dollars in damage.

While we have seen some recent improvements, long-term projections indicate that drought conditions will

worsen and spread to more States across the country. We must ensure that this program, which prevents costly and, oftentimes, irreparable damage to communities, personal property, and wildlife habitat, receives continued support. Mr. Speaker, I urge my colleagues to support the bill.

I yield back the balance of my time.

Mr. THOMPSON of Pennsylvania. I yield myself such time as I may consume.

I thank the ranking member for her leadership and support on this bill and, quite frankly, on everything we do as a part of our Subcommittee on Agriculture.

Mr. Speaker, I have no additional speakers on this bill. I urge all Members to join me in support of this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. THOMPSON) that the House suspend the rules and pass the bill, H.R. 2394, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

COMMODITY END-USER RELIEF ACT

GENERAL LEAVE

Mr. CONAWAY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill, H.R. 2289.

The SPEAKER pro tempore (Mr. LAMALFA). Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 288 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 2289.

The Chair appoints the gentleman from Idaho (Mr. SIMPSON) to preside over the Committee of the Whole.

□ 1526

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. CONAWAY) and the gentleman from Minnesota (Mr. PETERSON) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CONAWAY. Mr. Chairman, I yield myself such time as I may consume.

I rise today in support of H.R. 2289, the Commodity End-User Relief Act.

I want to start by thanking Chairman AUSTIN SCOTT and Ranking Member DAVID SCOTT of the Commodity Exchanges, Energy, and Credit Subcommittee. They have done a tremendous job over the past few months working on these issues. They have held three hearings on reauthorization, listening to testimony from end users, financial intermediaries, and even the commissioners themselves. Without their work, we would not have been able to move this bill today.

H.R. 2289, the Commodity End-User Relief Act, does exactly what the name suggests: it provides relief from unnecessary red tape for the businesses that ''make things'' in our country.

End users are the businesses that provide Americans with food, clothing, transportation, electricity, heat, and much, much more. Companies that produce, consume, and transport the commodities that make modern life possible use futures and swaps markets to reduce the uncertainties that their businesses face. Farmers hedge their crops in the spring so that they know what price they will get paid in the fall. Utilities hedge the price of energy so they can charge customers at a steady rate. Manufacturers hedge the cost of steel, energy, and other inputs to lock in prices as they work to fill their orders.

The fact is, no end user played any part in the financial crisis of 2008, and no end user poses a systemic risk to U.S. derivatives markets. Yet, as the Agriculture Committee heard in countless hours of testimony, it is now more difficult and more expensive for farmers, ranchers, processors, manufacturers, merchandisers, and other end users to manage their risks than it was 5 years ago.

To address their concerns, H.R. 2289 makes targeted reforms to the Commodity Exchange Act that fall into three broad categories: consumer protections, commission reforms, and end-user relief.

Title I of the bill protects customers and the margin funds they deposit at their FCMs by codifying critical changes made in the wake of the collapse and bankruptcy of both MF Global and Peregrine Financial.

Title II makes meaningful reforms to the operations of the Commission to improve the agency's deliberative process. In doing so, it also requires the Commission to conduct more robust cost-benefit analysis to help get future rulemakings right the first time and to avoid the endless cycle of re-proposing and delaying unworkable rules.

Finally, title III fixes numerous problems faced directly by end users who rely on derivatives markets. From unnecessary recordkeeping burdens, to improperly categorizing physical transactions as swaps, to narrowing the bona fide hedge definition, CFTC rules have discouraged exactly the kind of prudent risk management activities Congress intended to protect with the end-users exemptions in the Dodd-Frank bill.

These regulatory burdens present challenges to American businesses and will cost them significant capital to comply with, unless Congress acts to provide the relief.

Title VII of Dodd-Frank sought to require that most swaps, one, be executed on an electronic exchange to ensure price transparency; two, be subject to initial and variation margin and central clearing through the lifetime of the transaction, to ensure performance on the obligation for counterparties; and, last, to be reported to a central repository to ensure that regulators have an accurate picture of the entire marketplace at any one point in time.

□ 1530

H.R. 2289 does not roll back a single core tenet of title VII. It does not change the execution, clearing, margining, and reporting framework set up by the act. In fact, not a single witness who appeared before the House Committee on Agriculture ever asked us to upend these principles. But what they did ask for were fixes to portions of the statute that didn't work as intended, to provide more flexibility in complying with the rules when they impaired end users' ability to hedge, and to bring more certainty to the Commission and how it operates. That is exactly what H.R. 2289 provides.

Similar to the CFTC reauthorization bill passed by the House with overwhelming bipartisan support last Congress, the Commodity End-User Relief Act makes narrowly targeted changes to the Commodity Exchange Act. This legislation offers meaningful improvements for market participants without undermining the basic tenets of title VII. I am proud that the committee has again put together a bill that has earned the bipartisan support of our members because it provides the right relief to the right people.

Mr. Chairman, I urge support of the Commodity End-User Relief Act.

I reserve the balance of my time.

JUNE 8, 2015.

DEAR MEMBER OF THE HOUSE OF REPRESENTATIVES: The undersigned organizations represent a very broad cross-section of U.S. production agriculture and agribusiness. We urge you to cast an affirmative vote on H.R. 2289, the ''Commodity End-User Relief Act,'' when it moves to the floor for consideration.

This legislation contains a number of important provisions for agricultural and agribusiness hedgers who use futures and swaps to manage their business and production risks. Some, but certainly not all, of the bill's important provisions include:

Sections 101–103—Codify important customer protections to help prevent another MF Global situation.

Section 104—Provides a permanent solution to the residual interest problem that would have put more customer funds at risk—and potentially driven farmers, ranchers and small hedgers out of futures markets—by forcing pre-margining of their hedge accounts.

Section 308—Relief from burdensome and technologically infeasible recordkeeping requirements in commodity markets.

Section 310—Requires the CFTC to conduct a study and issue a rule before reducing the de minimis threshold for swap dealer registration in order to make sure that doing so would not harm market liquidity and end-user access to markets.

Section 313—Confirms the intent of Dodd-Frank that anticipatory hedging is considered bona fide hedging activity.

Thank you in advance for your support of this bill that is so important to U.S. farmers, ranchers, hedgers and futures customers.

Sincerely,

Agribusiness Association of Iowa; Agribusiness Council of Indiana/Indiana Grain and Feed Association; American Cotton Shippers Association; American Farm Bureau Federation; American Feed Industry Association; American Soybean Association; Commodity Markets Council; Grain and Feed Association of Illinois; Kansas Grain and Feed Association; Michigan Agri-Business Association; Michigan Bean Shippers Association; Minnesota Grain and Feed Association; Missouri Agribusiness Association; National Cattlemen's Beef Association; National Corn Growers Association; National Cotton Council; National Council of Farmer Cooperatives; National Grain and Feed Association; National Pork Producers Council; Nebraska Grain and Feed Association; North American Export Grain Association; North Dakota Grain Dealers Association; Northeast Agribusiness and Feed Alliance; Ohio Agri-Business Association; Oklahoma Grain and Feed Association; Pacific Northwest Grain and Feed Association; Rocky Mountain Agribusiness Association; Southeast Minnesota Grain and Feed Dealers Association; South Dakota Grain and Feed Association; Tennessee Feed and Grain Association; Texas Grain and Feed Association; USA Rice Federation; Wisconsin Agri-Business Association.

JUNE 5, 2015.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: The National Association of Manufacturers (NAM), the largest manufacturing association in the United States representing manufacturers in every industrial sector and in all 50 states, supports provisions in the Commodity End User Relief Act (H.R. 2289), to clarify that non-financial companies, like manufacturers, that use derivatives to manage business risk will not be subject to onerous and harmful regulatory requirements.

Manufacturers use derivatives to manage and mitigate against fluctuations in commodity prices and currency and interest rates. The NAM worked to include provisions in the Dodd-Frank Wall Street Reform and Consumer Protection Act (P.L.111–203) to protect manufacturers' use of over-the-counter derivatives. We continue to work to ensure that, as Dodd-Frank is implemented, end-users do not face undue burdens. Imposing unnecessary regulation on end-users would limit their ability to use these important risk management tools, increasing costs and negatively impacting business investment, U.S. competitiveness and job growth.

Provisions included in H.R. 2289 would ensure that non-financial end-users trading through a centralized treasury unit (''CTU'') are covered by the end-user clearing exemption provided by the Dodd-Frank Act. Without the clarification on CTUs, non-financial end-users may be swept into costly clearing requirements meant for financial entities, simply because they use a CTU to manage internal and external trading to mitigate risk within a corporate entity—an industry ''best practice''.

The CFTC reauthorization also includes an NAM-supported provision that requires the CFTC to take an affirmative action before lowering the swap dealer de minimis threshold. Without this provision, the de minimis level of swap dealing automatically drops from the $8 billion to $3 billion in the near future, sweeping some manufacturers into bank-like regulatory requirements.

Almost five years after the enactment of Dodd-Frank, implementation of the Act is well underway and deadlines for compliance with various regulations are looming. End-users remain extremely concerned about the lack of clarity on the CTU issue and the automatic drop in the de minimis threshold for swap dealing among other issues. Thank you in advance for supporting provisions in H.R. 2289 to ensure that derivatives regulation is focused on needed areas, and not on imposing unnecessary regulatory burdens on manufacturers.

Sincerely,

DOROTHY COLEMAN.

MAY 11, 2015.

Hon. MICHAEL CONAWAY,
Chairman, House Committee on Agriculture, Longworth House Office Building, Washington, DC.

Hon. COLLIN C. PETERSON,
Ranking Member, House Committee on Agriculture, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN CONAWAY AND RANKING MEMBER PETERSON: As the House prepares to vote on and reauthorize the Commodity Futures Trading Commission (CFTC) oversight of the futures and swaps markets, the National Corn Growers Association (NCGA) and the Natural Gas Supply Association (NGSA) wish to express support for the end user provisions in the CFTC reauthorization bill which will help to ensure that corn and natural gas markets are able to function efficiently.

Specifically, NCGA and NGSA support the provision which will provide relief for end-users using physical contracts with volumetric optionality and ensure that non-financial, physical energy delivery agreements are not regulated as swaps.

Founded in 1957, NCGA represents more than 40,000 dues-paying corn farmers nationwide. NCGA and its 48 affiliated state organizations work together to create and increase opportunities for their members and their industry.

Established in 1965, NGSA encourages the use of natural gas within a balanced national energy policy, and promotes the benefits of competitive markets, thus encouraging increased supply and the reliable and efficient delivery of natural gas to U.S. customers.

Because of the potential for the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (the Dodd-Frank Act or the Act) to impede what are and have been healthy, competitive, and resilient corn and natural gas markets, NCGA and NGSA played an active role in the shaping of the Act during its passage and have continued this role in ensuring the Act's successful implementation by the CFTC.

The CEA as amended by the Dodd-Frank Act excludes forward contracts and includes options in commodities in the definition of ''swap.'' This raises the practical question of how to treat forward contracts containing terms that provide for some form of flexibility in delivered volumes, i.e., ''embedded optionality.''

Flexibility in the terms of physical commodity forward contracts is essential in everyday commerce given the commercial uncertainties that exist in commodity delivery and receipt. One important form of such flexibility involves the volumes to be transacted in a forward contract. This flexibility is necessary because parties cannot always accurately predict the required or optimal amounts of physical commodities to meet their business needs and objectives. The CFTC refers to this flexibility as ''volumetric optionality'' and has formulated rules that suggest that the CFTC will regulate forward contracts with such ''optionality'' as swaps.

Volumetric optionality is a contractual tool used in the physical commodity industry to ''right size'' physical delivery. The ability to appropriately size a physical commodity delivery via a contractual tool facilitates market efficiency because it allows commercial market participants to adjust delivery volumes seamlessly in response to changes in supply and demand requirements at the time of delivery. Volumetric optionality is a delivery tool that mitigates the uncertainty inherent in any physical commodity contract, making both parties aware of potential delivery variability embedded within the intent to deliver. Thus, volumetric optionality in a physical forward contract allows commercial uncertainties to be accommodated up front, providing a process for orderly physical delivery and settlement even in the absence of precision in the delivery volume. Importantly, the intent to physically deliver remains despite the variability in final delivery terms.

In August of 2012, the CFTC issued the final rule further defining the term ''swap,'' Final Rule, Further Definition of ''Swap,'' et al., 77 Fed. Reg. 48, 208 (August 13, 2012) (Swap Definition Final Rule or Final Rule). As part of the definition of swap, the Final Rule provides an interpretation that an agreement, contract or transaction with embedded optionality falls within the forward exclusion when seven criteria are met. The seventh criterion or element requires that:

7. The exercise or non-exercise of the embedded volumetric optionality is based primarily on physical factors, or regulatory requirements, that are outside the control of the parties and are influencing demand for, or supply of, the nonfinancial commodity.

In the Final Rule, the Commission specifically requested comments on whether this seventh element is necessary, appropriate and sufficiently clear and unambiguous. On October 12, 2012, NCGA and NGSA submitted written comments to the CFTC highlighting the market uncertainty that the new seven-criterion test creates in light of very clear statutory language stating that contracts with the intent to physically deliver are physical forward contracts. Specifically, NCGA and NGSA asked the Commission to affirm that the seven criteria identified in the Final Rule are simply illustrative of certain common characteristics in forward contracts with embedded optionality, and thus, a safe harbor instead of requirements for satisfaction of the forward contract exclusion.

NCGA and NGSA recognize the Commission's interest in retaining the ability to regulate physical contracts with embedded options as swaps if ''intent to physically deliver'' is not genuine and simply crafted to evade regulation. However, in this case, the Commission has created so much ambiguity in the applicability of the forward-contract

exclusion that market participants may be reluctant to use volumetric optionality in their forward contracting. Consequently, the regulatory uncertainty caused by the seven-criterion test compromises the viability of a physical commodity market delivery tool that is critical to market efficiency. The forward-contract exclusion should not be implemented in a way that limits its usefulness to catching bad actors at the expense of physical market efficiency.

The definition of swap has far-reaching effects beyond physical market efficiency. Determining what is and is not a swap impacts the calculation of notional amount and thus, which entities are swap dealers. It also impacts the application of position limits and the appropriate scope of the bona fide hedge exemption, clearing requirements, reporting requirements and capital and margin requirements. In short, the definition of swap is the heart and soul of the end-user protections.

The October 12, 2012 NCGA and NGSA request for clarity regarding the Commission's expected application of the seven-criterion test remains unanswered. In light of the lingering uncertainty created by the seven-criterion test, clarity regarding the applicability of the forward-contract exclusion to volumetric options embedded within a physical contract has become essential to commodity producers and consumers. Given the importance of the definition of swap to implementation of so many other Dodd-Frank-Act-related CFTC regulations, clarity is crucial to the sound implementation the Dodd-Frank Act. This regulatory uncertainty has complicated sound implementation of the Dodd-Frank Act and risks harming commodity market efficiency. The CFTC is contemplating some clarifying language on volumetric optionality which would be welcome news. Regardless of the CFTC's clarification, however, the implementation uncertainty that has persisted for the last four years illustrates the need for legislative changes.

The swap definition is fundamental to implementation of the CFTC's new Dodd-Frank rules and consequently to the on-going availability of cost-effective risk management tools. However, if the definition is too broad, it can bring in common commercial agreements that have no relationship to the types of transactions that the Dodd-Frank Act was intended to regulate. Market participants demonstrating the potential to exercise physical delivery or a history of physical delivery must have confidence in the forward-contract exclusion from the definition of a swap.

NCGA and NGSA are committed to working with you to achieve a positive outcome that both protects the integrity of commodity markets and ensures the continued availability of cost effective hedging tools.

Sincerely,

NATIONAL CORN GROWERS ASSOCIATION.
NATURAL GAS SUPPLY ASSOCIATION.

JUNE 2, 2015.

Hon. JOHN BOEHNER,
Speaker, House of Representatives, Washington, DC.
Hon. MICHAEL CONAWAY,
Chairman, House Agriculture Committee, House of Representatives,Washington, DC.
Hon. NANCY PELOSI,
Minority Leader, House of Representatives,Washington, DC.
Hon. COLLIN PETERSON,
Ranking Member, House Agriculture Committee, House of Representatives,Washington, DC.

DEAR SPEAKER BOEHNER, LEADER PELOSI, CHAIRMAN CONAWAY, AND RANKING MEMBER PETERSON: On behalf of the member companies of the Edison Electric Institute (EEI), I want to express our strong support for H.R. 2289, the Commodity End-User Relief Act. Key provisions in the legislation provide additional certainty and clarify congressional intent on a number of issues of significant importance to EEI members.

EEI is the association of U.S. investor-owned utilities, international affiliates and industry associates worldwide. Our members provide electricity for 220 million Americans, directly employ more than a half-million workers, and operate in all 50 states. With approximately $90 billion in annual capital expenditures, the electric utility industry is responsible for providing reliable, affordable, and increasingly clean electricity that powers the economy and enhances the lives of all Americans.

EEI members are non-financial entities that participate in the physical commodity market and rely on swaps and futures contracts primarily to hedge and mitigate their commercial risk. The goal of our member companies is to provide their customers with reliable electric service at affordable and stable rates, which has a direct and significant impact on literally every area of the U.S. economy. Since wholesale electricity and natural gas historically have been two of the most volatile commodity groups, our member companies place a strong emphasis on managing the price volatility inherent in these wholesale commodity markets to the benefit of their customers. The derivatives market has proven to be an extremely effective tool in insulating our customers from this risk and price volatility. In sum, our members are the quintessential commercial end-users of swaps. As such, regulations that make effective risk management options more costly for end-users of swaps will likely result in higher and more volatile energy prices for retail, commercial, and industrial customers. H.R. 2289 goes a long way in providing much needed regulatory relief and even greater clarity to the compliance landscape facing EEI and the entire end-user community going forward.

Thank you for your leadership on these important issues. We look forward to working with you to advance this legislation through the House.

Sincerely,

THOMAS R. KUHN.

MAY 12, 2015.

Hon. K. MICHAEL CONAWAY,
Chairman, Committee on Agriculture, House of Representatives, Longworth House Office Building, Washington, DC.

DEAR CHAIRMAN CONAWAY: The American Gas Association strongly supports the Commodity End User Relief Act, a bill to reauthorize the Commodity Exchange Act (CEA) that would improve Commodity Future Trading Commission (CFTC) operations and provide much-needed marketplace certainty and regulatory relief for natural gas utilities and the American homes and businesses to which they deliver natural gas.

The American Gas Association (AGA), founded in 1918, represents more than 200 local energy companies that deliver clean natural gas throughout the United States. There are more than 71 million residential, commercial and industrial natural gas customers in the U.S., of which 94 percent—over 68 million customers—receive their gas from AGA members. AGA is an advocate for natural gas utility companies and their customers and provides a broad range of programs and services for member natural gas pipelines, marketers, gatherers, international natural gas companies and industry associates. Today, natural gas meets more than one-fourth of the United States' energy needs.

The Commodity End User Relief Act will help the CFTC become a more responsive and well-equipped regulator. Commercial market participants currently lack basic procedural opportunities to hold the CFTC accountable for arbitrary and capricious actions. The lack of good process is self-evident in the haphazard pattern of rulemaking and non-rule ''guidance'' issued by the Commissioners or staff. Just yesterday, the CFTC answered a critical industry question about whether ''swaps'' (financial derivatives) include non-financial natural gas delivery contracts through an ''Interpretation'' rather than through formal regulation. Even this action is five months late: The CFTC asked for comments on this draft in November 2014 and closed the comment period in December 2014. The goal was to provide time-sensitive response to market participants. And yet, it took five months to finalize.

The Commodity End User Relief Act will help fix several problems described above—changes that can neither be made by the CFTC's evolving leadership nor by revisions to internal rules.

1. Direct Review in Federal Appellate Courts: The bill would allow the federal appellate courts to directly review CFTC rules, replacing the protracted and expensive trial court process currently in effect as the default rule for judicial review. This change will not increase litigation nor will it disrupt the CFTC. Rather, it will incentivize the CFTC to write better rules and avoid challenge altogether. Also, any inevitable legal challenges will be more swiftly decided by appellate courts, benefitting the regulator and the regulated community. All of the key federal rulemaking agencies are subject to direct appellate review — including the Securities Exchange Commission and Federal Energy Regulatory Commission. There is no logical justification to treat the CFTC differently.

2. Strict Compliance with the Administrative Procedures Act (APA): The CFTC's administrative process suffers from vague and varying levels of compliance with federal procedural laws. Strict compliance with federal laws requiring due process and notice should not be contingent on how the Commission leadership directs staff, shares information among Commissioners, or chooses between a legal rule, non-binding guidance, or interpretation for resolving a public concern. This bill would eliminate subjectivity and require strict compliance with the APA and Executive Orders that instruct agencies to ensure public notice-and-comment on rules or guidance that have legally-binding effects.

3. Give the CFTC Comprehensive Authority to Exempt End-Users' Physical Contracts from ''Swaps'' and ''Options'' Regulation: The CFTC undertook a tortuous four-year path of issuing interim final rules, policy guidance, and no-action letters, to arrive yesterday at yet another ''interpretation'' regarding how much of the physical marketplace will not be regulated as ''swaps''. In the interim, gas utilities have seen their physical gas counterparties (natural gas suppliers) exit the marketplace. Those that remain, offer less flexible and more costly contracting terms to avoid any confusion generated by CFTC policies that suggest these physical transactions are ''swaps''. In the past year alone, many AGA members' counterparties have abstained from providing the physical delivery flexibility that is needed to manage customer demand during hard winters and cold snaps. For AGA's rate-regulated utilities, cost increases for flexible gas supplies are passed directly to consumers.

Yesterday's Interpretation does help clarify the morass of regulatory guidance that

the CFTC has issued in prior years. However, confusion remains as at least two Commissioners disagree about what the CFTC has actually accomplished (see statements from CFTC Chairman Massad and Commissioner Bowen). Natural gas utilities cannot afford to wait any longer for policy clarity because energy consumers are paying the price for the CFTC's confusion. The Commodity End User Relief Act will definitively clarify that non-financial energy delivery agreements, that ensure physical delivery of natural gas to homes and businesses, will not be treated by the CFTC as speculative, financial instruments. The bill will help restore liquidity to the physical energy marketplace, which gas utilities rely on to mitigate commercial risk on behalf of consumers.

Congress certainly did not intend to provide the CFTC a tremendous regulatory mandate without giving it the necessary guidance and authority to do its job. Furthermore, Congress did not intend for the CEA to constrain liquidity in the physical natural gas marketplace, create business-changing impacts on regulated natural gas utilities, or increase the costs of reliable service for natural gas consumers. As such, AGA supports the Commodity End User Relief Act because it provides the CFTC the tools necessary to be a responsive regulator and restores the regulatory confidence that natural gas utilities rely on to procure natural gas supplies at the lowest reasonable cost for the benefit of America's natural gas consumers.

Sincerely,

DAVE MCCURDY,
President and CEO,
American Gas Association.

JUNE 8, 2015.

Re End-User Support for Passage of Derivatives End-User Clarifications in H.R. 2289, the Commodity End-User Relief Act.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The Coalition for Derivatives End-Users represents the views of companies that employ derivatives primarily to manage risks associated with their businesses. Hundreds of companies and business associations have been active in the Coalition, seeking strong, effective and fair regulation of derivatives markets that brings transparency and mitigates the risk of another systemic collapse while not unduly burdening American businesses and harming job growth. The Coalition supports H.R. 2289, the Commodity End-User Relief Act, which incorporates vital legislation aimed at protecting derivatives end-users.

In particular, the Coalition strongly supports the bill's inclusion of the language of H.R. 1317, the Derivatives End-User Clarification Act, sponsored by Representatives Moore, Stivers, Fudge and Gibson. H.R. 1317 is a narrowly targeted bill providing much-needed clarification that certain swap transactions with centralized treasury units (''CTUs'') of non-financial end-users are exempt from clearing requirements and fixes a language glitch in the Dodd-Frank Wall Street Reform and Consumer Protection Act (the ''Dodd-Frank Act'') that denies some end-users that employ CTUs the clearing exception that Congress passed specifically for them.

A Coalition survey of chief financial officers and corporate treasurers found that nearly half of the respondents use CTUs to execute over-the-counter derivatives. The Coalition is encouraged that the House of Representatives last year passed this CTU language (H.R. 5471/S. 2976) by voice vote, reflecting the fact that CTUs are a best practice among corporate treasurers and their use should be encouraged, not penalized.

While the Commodity Futures Trading Commission has issued no-action relief allowing some end-users to use the clearing exception, the relief does not fix the problematic language in the Dodd-Frank Act. This language, which also is referenced in regulatory proposals on margin, places corporate boards in the difficult position of approving decisions not to clear trades based on a staff letter indicating that the law will not be enforced against the company.

It also is important to note that international regulators often look to U.S. rules—but not no-action letters—when developing their regulations. Unless we fix the underlying problem in the Dodd-Frank Act, our denial of clearing relief to end-users with CTUs may be propagated overseas.

Throughout the legislative and regulatory process surrounding the Dodd-Frank Act, the Coalition has supported efforts to increase transparency in the derivatives markets and enhance financial stability for the U.S. economy through thoughtful new regulation while avoiding needless costs. We urge you to support the efforts to move this essential clarification in H.R. 2289.

Sincerely,

COALITION FOR DERIVATIVES END-USERS.

Mr. PETERSON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I oppose this legislation because it will roll back important financial regulations and interfere with the CFTC's ability to do its work. I am very concerned that H.R. 2289 will open the door to the types of things that created the financial mess that we are just beginning to get ourselves out of.

So let me be clear. I don't have an issue with many of the provisions that are relevant to end-user protections. In fact, the Dodd-Frank bill that I helped write states very clearly that end users were not the problem, and the CFTC has been very receptive to that fact and taken that into consideration as they have adopted rules.

One of my biggest concerns in this bill is the new cost-benefit analysis. This is, in my opinion, all cost and not a lot of benefit unless you are one of the nine big banks who, as far as I am concerned, have not learned a thing from the financial crisis. This not only adds an unneeded layer of government bureaucracy; it opens the doors to lawsuits from major banks seeking to delay or completely derail CFTC rulemakings.

I also have serious concerns with the trouble that will be caused by section 314, the cross-border section of this bill.

Chairman Massad has been negotiating extensively and in good faith with our European counterparts to harmonize their rules with ours. I have talked to the Chairman a number of times about this, and he has assured me and it has been independently verified that they are 85 percent of the way to getting a deal in this area. This provision in my opinion will cut the negotiators off at the knees. I am worried that this provision will take us back to where we were and what was happening prior to the financial crash. The big banks at that time that have offices both in London and New York were playing us against each other, getting the United States to water down rules by threatening to move their business elsewhere and vice versa, and that was verified on committee trips that we took over to Europe and in discussions with their regulators.

The cost-benefit requirement, as I said, along with the cross-border rule, will cost $45 billion over 5 years, according to the CBO. And again, this is a cost that I believe doesn't have a whole lot of benefit.

H.R. 2289 has a whole host of other problems. The bill unravels the transparency provided by Dodd-Frank, slows down CFTC staff ability to respond to industry concerns, mucks up the Commission's ability to issue guidance if rules need updating or clarification, and relitigates a disagreement between former commissioners that has no place in this bill.

This is a bad bill that can't be fixed. It should be defeated by the House. I urge my colleagues to oppose H.R. 2289.

Mr. Chairman, I have a statement from the administration where they have indicated their displeasure with this bill and the fact that they are going to recommend vetoing it.

I reserve the balance of my time.

STATEMENT OF ADMINISTRATION POLICY

H.R. 2289—COMMODITY END-USER RELIEF ACT

(Rep. Conaway, R–TX, June 2, 2015)

The Administration is firmly committed to strengthening the Nation's financial system through the implementation of key reforms to safeguard derivatives markets and ensure a stronger and fairer financial system for investors and consumers. The full benefit to the Nation's citizens and the economy cannot be realized unless the entities charged with establishing and enforcing the rules of the road have the resources to do so.

The Administration strongly opposes the passage of H.R. 2289 because it undermines the efficient functioning of the Commodity Futures Trading Commission (CFTC) by imposing a number of organizational and procedural changes and would undercut efforts taken by the CFTC over the last year to address end-user concerns. H.R. 2289 also offers no solution to address the persistent inadequacy of the agency's finding. The CFTC is one of only two Federal financial regulators funded through annual discretionary appropriations, and the funding the Congress has provided for it over the past five years has failed to keep pace with the increasing complexity of the Nation's financial markets. The changes proposed in H.R. 2289 would hinder the ability of the CFTC to operate effectively, thereby threatening the financial security of the middle class by encouraging the same kind of risky, irresponsible behavior that led to the great recession.

Prior to enactment of the Dodd-Frank Wall Street Reform and Consumer Protection Act, the derivatives markets were largely unregulated. Losses connected to derivatives rippled through that hidden network, playing a central role in the financial crisis. Wall Street Reform resulted in significant expansion of the CFTC's responsibilities, establishing a framework for standardized over-the-counter derivatives to be traded on regulated platforms and centrally cleared, and for data to be reported to repositories to increase transparency and price discovery. The changes proposed in H.R. 2289 would hinder the CFTC's progress in successfully implementing these critical responsibilities

and would unnecessarily disrupt the effective management and operation of the agency without providing the more robust and reliable funding that the agency needs.

In order to respond quickly to market events and market participants, the CFTC needs funding commensurate with its evolving oversight framework. The Administration looks forward to working with the Congress to authorize fee funding for the CFTC as proposed in the FY 2016 Budget request, a shift that would directly reduce the deficit. User fees were first proposed in the President's Budget by the Reagan Administration more than 30 years ago and have been supported by every Democratic and Republican Administration since that time. Fee funding would shift CFTC costs from the general taxpayer to the primary beneficiaries of the CFTC's oversight in a manner that maintains the efficiency, competitiveness, and financial integrity of the Nation's futures, options, and swaps markets, and supports market access for smaller market participants hedging or mitigating commercial or agricultural risk.

If the President were presented with H.R. 2289, his senior advisors would recommend that he veto the bill.

Mr. CONAWAY. Mr. Chairman, I yield myself 1 minute.

I remind my colleagues that the cost-benefit analysis provisions that are in this bill are remarkably similar to the bill last year, which garnered overwhelming support, including support out of the Agriculture Committee itself. Cost-benefit analysis is an important tool for any regulatory agency to have at its disposal to be able to use. This agency did not use the cost-benefit analysis rule that was in place because it was so weak and toothless that they just basically gave lip service to it, according to their own IG.

The cost-benefit analysis in this bill mirrors in most instances President Obama's executive order from January 2011 that required all nonindependent agencies to conduct cost-benefit analysis in a transparent manner to get to better rules in that regard.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Chairman, I thank my colleague, Chairman CONAWAY, for allowing me to speak today.

I rise today in support of H.R. 2289, the Commodity End-User Relief Act.

End users, such as our ranchers, farmers, manufacturers, and public utilities, face risks that they have no control over on a daily basis. For years now, they have used tools available to manage risks like volatile markets or changing interest rates, such as a farmer who uses futures contracts to establish a guaranteed price to offset the risk of a decrease in crop value before harvest or a grain company using derivatives to hedge commercial risks associated with buying wheat from a farmer. This is part of day-to-day operations that allow them to do their jobs and provide products in an affordable and accessible manner. However, the implementation of Dodd-Frank placed a number of costly burdens on our end users that limit their ability to use these tools.

It is important that we do all we can to erase this unintended and excessive red tape. One measure included in this bill today will do just that, which is my Public Power Risk Management Act, which passed with the full support of the House last year. Again, it is included in the bill today.

There are over 2,000 publicly owned utilities across the United States, including one in my district in the city of Redding, that have used swaps to manage their risk for years. However, Dodd-Frank put them at a major disadvantage to private utilities by limiting their ability to negotiate with swap dealers.

This bill would level the playing field permanently and ensure the 47 million Americans who rely on public power for electricity will not see their rates increase due to unnecessary regulatory policies. Our farmers, ranchers, and small businesses who pose no systemic risk to our financial system and certainly did not cause the financial crisis should not have to face costly bureaucratic overreach from policies originally intended to protect them in the first place.

I thank Chairman CONAWAY for his leadership on this bill. Let's help our agriculture community by passing this commonsense piece of legislation.

Mr. PETERSON. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia (Mr. DAVID SCOTT).

Mr. DAVID SCOTT of Georgia. Mr. Chairman, as the ranking member of the subcommittee of jurisdiction over this bill, I would like to address the three major areas of contention here. We have put a lot of time, a lot of work in this over the years.

First, we want to deal with, as Mr. PETERSON brought up, some of his concerns and share how we are responding to that. I am a sponsor of this bill. We have worked on it. It is a similar bill to what we had before. The first area I want to deal with is cross border, and then I will go to cost-benefit analysis, and then end users.

What is important for the House and the people of this Nation to understand is that we operate in a global market, and our United States financial system is best served with deep financial liquidity. But if global regulations are not well harmonized, are not well coordinated, or we have good cross-border access, then these global markets will fragment into separate regulatory jurisdictions and become far less liquid, to the detriment of the United States financial system.

We know now that the derivatives swaps market is about an $815 trillion piece of the economy, and we must not—and I am sure we will not—put our financial system of the United States at a disadvantage on the world stage. By passing this bill, we will not do that. If we delay it again, we will be putting our financial system at a disadvantage on the stage.

Let me deal with the first concern that has been brought up. The claim that our legislation subverts the CFTC's authority to regulate foreign derivatives, this is flat-out false because at no point is an entity of the United States person able to escape U.S. rules that the CFTC, itself, has deemed equivalent. Let me read section 314 that has been referred to. In section (b)(2)(A) of 314, it clearly states that only the CFTC can make sure that foreign entities, regulations are comparable to the United States. At no point do we yield the power of the CFTC to any foreign entity unless the CFTC makes sure that that foreign entity has equivalent rules to our Nation.

Now, let me go to the claim that we are making it harder to challenge the cross border in 314. We are doing no such thing. It is important that if there is a country, if there is anybody in the world that wants to challenge, that wants to have a way of challenging the ruling of the CFTC, it is in our best interest to make sure that they go through a petition process, and the petition process is there to give the CFTC ample time—180 days—to review the challenge and be able to respond appropriately. And after the Commission makes its decision, we request them to report to the Congress. Now, how is that making it harder? As a matter of fact, it is making it easier and more transparent.

Now, the concern about the bill's attempts to rein in the CFTC's capacity to impose certain rules on Wall Street trades, this concern refers to what we refer to as U.S. persons and location tests. At no time, Mr. Chairman, does our bill state that U.S. persons are not subject to U.S. rules. Individuals and transactions are still allowed to be carved in definitions and, thus, subject to the same rules, the same tests, and regulations. And our own Commissioner Bowen, who is a Democrat serving on the CFTC, stated before my subcommittee, ''risk should be about risk and not about location.'' Tests should be about where the risk is, instead of where someone wrote something on a piece of paper.

Now let me deal with the business that our bill creates a presumption that each of the eight foreign jurisdictions with the largest swaps markets automatically have swap rules that are considered to be comparable to and as comprehensive as the United States requirements. Yes, they are correct, but that presumption comes only after the CFTC makes sure that those eight foreign markets have comparable rules to us. Here is what it says in section 1: ''The Commission shall determine, by rule or by order, whether the swaps regulatory requirements of foreign jurisdictions are comparable to and as comprehensive as United States requirements.''

I rest my case.

But now, Mr. Chairman, I want to turn to what is the most important cross-border issue, this business with the European Union. The European Union is discriminating against the United States.

The CHAIR. The time of the gentleman has expired.

Mr. PETERSON. I yield the gentleman an additional 2 minutes.

Mr. DAVID SCOTT of Georgia. The European Union is denying our country status in terms of equivalency of rules. Historically, we have always had that. But what is very interesting is they have already given this standing to jurisdictions that have the same regime as ours.

Why is that?

Something very strange is going on in the European Union. They are discriminating against our financial system when they will go ahead and approve other regimes that are equal to ours but not ours.

Why is this a terrible thing?

Because, Mr. Chairman, our clearinghouses can't do business in Europe if we are not qualified, if we do not have that equivalency. So by taking that equivalency away, they are keeping our clearinghouses and our businesses from being able to be used there because the other market participants will go elsewhere rather than come and do business with us.

There are millions of dollars at stake here, so we have got to certainly deal with that.

□ 1545

Mr. Chairman, I do want to say something about this cost-benefit analysis because this is not all truth is being told here. This cost-benefit analysis is being put on because it has the way of being able to make us more efficient.

Mr. PETERSON brought up the point of litigation; that is a legitimate concern, but here is what we did: we accepted and approved an amendment by Democratic Representative DELBENE and some Republicans to make sure that the CFTC's back door is protected. The amendment clearly states that the court must uphold the decision of the CFTC unless there has been an abuse of discretion.

In a court of law, abuse is a high threshold to attain.

The CHAIR. The time of the gentleman has again expired.

Mr. CONAWAY. Mr. Chairman, I yield the gentleman an additional 3 minutes.

Mr. DAVID SCOTT of Georgia. This is important, Mr. Chairman. I have got my name on this bill. I have put the work and time into this bill. It is important that I give the reasons why I am supporting this bill.

Now, this amendment says, as I said before, that a court must uphold the decision of the CFTC unless there has been an abuse of discretion. In a court of law, abuse is a high threshold to attain. If a firm wants to challenge the CFTC, they know right off that they better have beyond compelling facts to prove it.

The CFTC's abuse of power is a discretion. We are letting anyone know who would dare to pursue litigation against the CFTC that they better think twice.

Now, about the funding, Mr. Chairman, perhaps this cost analysis can help us build a case to take to the Appropriations Committee to get more money. The President has appropriately asked for more money for the CFTC.

Year after year after year, I have been asking for more money, but I do believe that if we put the cost-benefit analysis in there—and, again, Mr. Chairman, we have a section in there where this cost-benefit analysis would be more succinct if it is done with an economist. Cost benefit is an economic issue, a financial issue; an economist should be doing that, not a lawyer.

I believe, Mr. Chairman, that if we pass this bill, we will be taking a great step forward to be able to put our CFTC on the world stage to be able to negotiate the rules and regulations for the United States of America from a position of strength, not weakness. This is a very delicate time for us, and we are losing respect.

Look at the EU; look at how other nations are treating us. Could it be, Mr. Chairman, that we are losing this respect largely because in a way by continuing year after year—this is the third year of not reauthorizing CFTC—by us doing that, we are not respecting ourselves, Mr. Chairman?

Now, finally, Mr. Chairman, I do want to say this one thing about the end users. This is a very important piece of this bill. They can't wait another 3 years. They need this relief right away, and we need to do and be able to get them out of an identification of being a financial institution.

Let me tell you why that is. End users are businesses who use a single entity that allows their company to centralize functions such as credit and risk; however, when the banking laws come in on finance, they put them in that category.

The CHAIR. The time of the gentleman has again expired.

Mr. CONAWAY. Mr. Chairman, I yield myself such time as I may consume.

I enter into the RECORD a statement from the Chamber of Commerce and would like to read a couple of paragraphs from that.

''This bill also takes a practical approach to address one of the most problematic areas of regulatory implementation in the global derivatives market: cross-border harmonization. Many end users operate internationally and are struggling to meet the changing demands of multiple, conflicting, and sometimes duplicative regulatory regimes. H.R. 2289 would require the CFTC to move quickly to make substituted compliance determinations that would significantly reduce needless complexity and uncertainty for U.S. businesses, without reducing market transparency.

The Chamber also supports provisions in this bill intended to promote transparency and accountability in the CFTC's rulemaking process, including a requirement to conduct a cost-benefit analysis for new rules, and the establishment of an Office of the Chief Economist to support such analysis. Cost-benefit analysis has been a fundamental tool of effective government for more than three decades, and these requirements would help protect Main Street businesses, investors, and consumers from some of the unintended consequences of regulation.''

CHAMBER OF COMMERCE OF THE UNITED STATES OF AMERICA,

Washington, DC, June 8, 2015.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, strongly supports H.R. 2289, the ''Commodity End-User Relief Act,'' a bipartisan bill that would reauthorize the Commodity Futures Trading Commission (CFTC). This bill also includes a number of important reforms designed to promote smart regulation, enhance accountability at the CFTC, and protect Main Street businesses from onerous and unintended derivatives regulation.

The Chamber is particularly supportive of provisions in H.R. 2289 that would help preserve the ability of commercial end users to manage their financial risks by using derivatives. This bill includes a critical fix that would ensure non-financial companies would be protected from burdensome and unnecessary regulations, consistent with Congress's clear intent under the Dodd-Frank Act almost five years ago. Non-financial companies that use centralized treasury units to manage their enterprise-wide risk should not be penalized for adopting this risk reducing structure, and H.R. 2289 acknowledges and would address this issue.

This bill also takes a practical approach to address one of the most problematic areas of regulatory implementation in the global derivatives market: cross-border harmonization. Many end users operate internationally and are struggling to meet the changing demands of multiple, conflicting, and sometimes duplicative regulatory regimes. H.R. 2289 would require the CFTC to move quickly to make substituted compliance determinations that would significantly reduce needless complexity and uncertainty for U.S. businesses, without reducing market transparency.

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Additionally, H.R. 2289 contains a number of sensible provisions that would promote principles of good governance, including providing market participants with better Commission oversight regarding ''no action'' letters issued by the CFTC staff, and a requirement that the CFTC develop internal risk control mechanisms in order to protect sensitive market data. These are common sense measures that would help make the CFTC a more effective and accountable regulator, and the Chamber appreciates their inclusion in this bill.

The Chamber strongly urges you to support H.R. 2289 and may consider including votes on, or in relation to, this bill in our annual How They Voted scorecard.

Sincerely,

R. BRUCE JOSTEN.

Mr. CONAWAY. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS).

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I thank Chairman CONAWAY for his leadership on this issue.

I rise today in support of H.R. 2289, the Commodity End-User Relief Act.

The use of derivatives is an important tool that farmers, agribusinesses, and manufacturers in my district use to hedge the risks that come with doing their business. Because of the risk of price movements and commodities, such as corn and soybeans, these end users use derivatives to ensure they and their customers aren't negatively impacted by sudden changes in prices.

The CFTC has an important role in overseeing these end users, who responsibly use derivatives to hedge. Unfortunately, following the passage of Dodd-Frank in 2010, many of these responsible hedgers, including farmers right in my congressional district in central and southwestern Illinois, have been impacted by these new regulations that often treat them as speculators. Mr. Chairman, farmers aren't speculators. Farmers didn't cause the global financial crisis, and farmers shouldn't be treated like they did.

This bill includes language that I authored to address regulations that could directly increase transportation prices for consumers back home. Additionally, the final bill includes an amendment I offered at committee that removes unnecessary and duplicative regulations created by the CFTC that require certain registered investment companies, such as mutual funds, to be regulated by both the SEC and the CFTC.

This language, which was adopted unanimously in the committee, removes this duplicative burden in a manner that would not undermine investor protection because these companies would still be regulated by the SEC.

This bill is an important and necessary opportunity for Congress to use the reauthorization process as a means to improve the regulatory environment and the impact it has on responsible market participants, as well as exchanges like the CME Group, which is headquartered in my home State of Illinois.

Mr. Chairman, I am proud of the committee's work on this bill. I want to express my appreciation for the work of Chairman CONAWAY and what he has done to get us here, as well as Chairman AUSTIN SCOTT and Ranking Member DAVID SCOTT of the Commodity Exchanges, Energy, and Credit Subcommittee.

This is an important bill, and I urge my colleagues to vote ''yes.''

Mr. PETERSON. Mr. Chairman, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, I rise in opposition to this bill; yet again, this bill deliberately sets out to weaken one of our most important financial regulators, the Commodity Futures Trading Commission.

It fails to address the CFTC's biggest challenge, its flawed funding mechanism. It prioritizes Wall Street special interests over the economic security of our Nation's families.

This bill is a recipe for another financial disaster like the one that led to the Great Recession and cost nearly 9 million American jobs.

Americans are tired of casino banking and speculation. They want big banks and oil speculators held accountable. They want to increase the transparency of our markets, prevent market failures, and avoid future bailouts. That is the CFTC's job.

This bill takes us in the wrong direction. Instead of helping the CFTC fulfill its mandate in an increasingly complex global financial sector, the bill throws up roadblock after roadblock.

The CFTC is one of only two Federal financial regulators completely reliant upon the general fund. The Securities and Exchange Commission, the Federal Deposit Insurance Corporation, Federal Housing Finance Agency, and a host of others all collect user fees, so should the CFTC.

This is not a partisan proposition. The first President to propose user-fee funding for the CFTC was Ronald Reagan. Every President since then, Republican or Democrat, has done the same.

User fees would directly reduce the deficit while securing CFTC's funding for the long term. That is even more important now that the agency's responsibilities have been expanded in response to the bad behavior that created the financial crisis.

I submitted an amendment that would have dealt with this problem, but the majority refused to allow it to be heard.

We must avoid at all costs a return to the conditions that allowed the Great Recession to happen, and I urge my colleagues to vote ''no'' on this bill.

Mr. CONAWAY. Mr. Chairman, I yield myself such time as I may consume.

I would like to remind or at least acknowledge to the committee that CFTC's funding is up 49 percent since 2010 when the Dodd-Frank bill was presented, 49 percent increase in funding.

Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. GOODLATTE), the former chairman of the House Agriculture Committee and the current chairman of the House Judiciary Committee.

Mr. GOODLATTE. Mr. Chairman, I thank Chairman CONAWAY for yielding me this time and thank him for his leadership on this important legislation.

I rise today to support H.R. 2289, the Commodity End-User Relief Act, a bill to reauthorize the Commodity Futures Trading Commission.

As we have heard today, the CFTC's mission is to foster a transparent, balanced, and functional marketplace. However, uncertainty and delays in the marketplace mean higher prices for families and small businesses across America. As the committee charged with ensuring the oversight of our commodity markets, it is our duty to ensure that those markets are functioning properly.

For the last several years, the Agriculture Committee, through the strong leadership of former Chairman FRANK LUCAS and current Chairman MIKE CONAWAY, has done an excellent job of educating Congress and the American public about the importance of our commodity markets and the need for a strong reauthorization of the CFTC.

I was also pleased to work closely with the Subcommittee on Commodity Exchanges, Energy, and Credit's Chairman AUSTIN SCOTT on this legislation. He and his staff have been leading an open and transparent process that involved all stakeholder groups and took input from across the country.

In an effort to help the CFTC achieve its mission, I worked with the committee and the CFTC to craft an amendment which was adopted in committee to address the issue of manufacturers being able to take timely delivery of aluminum for production at a fair price. These manufacturers support a broad set of industries from common drink cans to airplane parts.

The persistence of long, disruptive market queues for the delivery of aluminum at warehouses in the United States, licensed overseas, has attracted considerable concern for end users and the consumers of products which many Americans utilize on a daily basis.

My provision will prevent the unreasonable delay of delivery of such commodities stored in warehouses, which can cost end-user companies increased storage fees, potentially higher prices due to supply and demand implications from improper exchange contract design, and result in uneconomic commodity prices.

Specifically, the amendment directs the CFTC to report to Congress regarding the ongoing review of foreign board of trade applications of metal exchanges and the status of its negotiations with foreign regulators regarding aluminum warehousing.

Such status reports shall inform the CFTC in determining foreign boards of trade status for metals exchange applications, and such determination shall be made no later than September 30, 2016.

In closing, I would like to again applaud Chairman CONAWAY and subcommittee Chairman SCOTT for their hard work to get this bill to the floor today. This bipartisan bill takes steps to improve consumer protections for

farmers and ranchers, as well as implementing reforms, to ensure a more balanced regulatory approach that will help our markets thrive.

Mr. PETERSON. Mr. Chairman, I yield myself such time as I may consume.

With all due respect to my colleagues who have been claiming that the bill does this and does that, there are a lot of groups that have a different view.

There are over two-hundred-and-some groups that disagree with how the impacts of these bills were going to affect the markets, including the chairman of the Commodity Futures Trading Commission, who are the people who actually have to administer this law.

□ 1600

And we have a letter from the chairman that has a completely different point of view than Mr. SCOTT has and others in terms of how this will impact the situation. According to the chairman, you know, he is opposed to this. He says: ''I believe that many of the provisions in this bill before the committee are either unnecessary or impose requirements on the Commission that would make it harder to fulfill their mission. The bill limits the agency's ability to respond quickly to both market events and market participants. It will make it more difficult for us to make adjustments to rules and achieve greater global harmonization of swaps rules. With respect to the provisions pertaining to commercial end users' concerns, the agency has sufficient authority to address the goals outlined in the legislation and in most cases has already done so.''

He also states: ''I have concerns that title II of the bill includes language that would complicate the agency's longstanding statutory requirements to consider costs and benefits in its rulemaking, imposing additional, unworkable standards and creating confusion that is likely to lead to more lawsuits instead of policy grounded in data-driven analysis. Had this language been in effect, it would have been harder for the agency to positively respond over the past 10 months to market participants' concerns. Title II also imposes procedural requirements on the agency that, to my knowledge, are not followed by any other independent agency. These changes would make it difficult to manage the agency and to ensure accountability and could weaken the Commission for administrations to come.''

So there is a disagreement of opinion about how this bill will actually impact the marketplace and how it will actually work. And if, as was claimed, it wasn't going to have any effect, I would be here supporting it.

In my opinion, this is going to have significant impacts on the way the Commission does its work, and I think it is going to do more harm than good.

I reserve the balance of my time.

Mr. CONAWAY. Mr. Chairman, may I inquire as to how much time is left on both sides?

The CHAIR. The gentleman from Texas has 13 minutes remaining. The gentleman from Minnesota has 15 minutes remaining.

Mr. CONAWAY. I reserve the balance of my time.

Mr. PETERSON. Apparently, I have a speaker coming, but she is not here yet, so we could wrap up, I guess.

Mr. CONAWAY. I am prepared to close if you are, and I reserve the balance of my time.

Mr. PETERSON. Mr. Chair, I think I made clear my position. I was hoping that we could work out a bill here that could have support across the board, but I just think that there are areas we have gone into with this bill that are going to cause more harm than good, and I think it is not a good bill. It is not the kind of bill that we need to give the Commission the reauthorization that they need to do their job, so I ask my colleagues to oppose the bill.

I yield back the balance of my time.

Mr. CONAWAY. Mr. Chairman, I yield myself the balance of the time.

It should come as no surprise that those who are being regulated have a difference of opinion with the folks proposing regulations. In this instance, the roles are actually reversed.

Tim Massad is a good guy, a good friend of mine, and an individual I look forward to working with. He doesn't want to change the deal he has got.

Well, if you look back at all the testimony that has been delivered throughout all of our hearings, most of the folks on the regulated side, the end users, the banks, the brokers, the SEFs, everybody else, they didn't like what the CFTC was doing to them. So the CFTC was able to power through the objections, and I would like for us to do the same thing, because what we have asked the CFTC to do is rational, straightforward stuff with respect to the changes at the operations of the Committee itself.

Over the past 4 years, the Committee on Agriculture has heard dozens of witnesses testify about the upheaval end users have been facing while trying to use derivatives markets in the wake of the postcrisis financial reforms. While this Congress took affirmative steps in Dodd-Frank to protect end users from harm, today it is clear there is still work to be done.

It isn't enough to simply raise these issues and hope that the CFTC will take care of them for us. For one, sometimes they cannot. There are numerous small oversights in the statute that have huge implications for end users that we correct in this legislation.

The CEA prevents many end users from claiming their exemption because they conduct their hedging activity out of an affiliate specifically created to manage risks throughout the entire corporate enterprise. The Commission can't fix this req.

The CEA requires foreign regulators to indemnify the CFTC, even though that is a legal concept that does not exist in many foreign legal jurisdictions. The Commission can't fix it.

Currently, the CEA defines some utility companies as financial entities, stripping them of their status as end users. The Commission can't fix that.

The core principles of SEFs were lifted almost word for word from the core principles for future exchanges, even though SEFs and future exchanges operate completely differently and SEFs cannot perform many of the functions of a futures exchange. The Commission can't fix this.

Certainly, the Commission can and has tried to paper over these problems by issuing staff letters explaining how it would deal with incongruities of the law, but this isn't good enough. We know the problems, and we should fix them.

Sometimes, though, the problem isn't the statute. There are a number of end users that we have heard testimony about which the CFTC will not fix because the Commission simply disagrees with Congress about how to apply the law. We know these problems, too.

The Commission has promulgated a rule that reduces the transaction threshold, which triggers the requirement to register as a swap dealer from $8 billion to $3 billion, a 60 percent decline, while they are still studying the matter. We require that the CFTC complete the study and have a public vote on the matter before that automatic decrease occurs.

The Commission has proposed a new and significantly narrower method of granting bona fide hedge exemptions, upending longstanding hedging conventions for market participants. This proposal is also dramatically more labor intensive for the Commission to implement than the current process. We should insist that historic hedging practices be protected.

The Commission has dramatically expanded the recordkeeping requirements, requiring businesses to trade only for themselves and have no fiduciary obligations to customers to retain any record that would lead to a trade. This requirement demands that end users retain emails, texts, phone messages, and other records in which a potential trade or hedge was simply contemplated or discussed. We should clearly spell out that end users need only retain written records for actual transactions.

The challenges facing businesses that hedge their risks in derivative markets are real, and we have an opportunity today to fix some of those problems. Every dollar that a business can save by better managing risks is a dollar available to grow its business, to pay higher wages, to protect investors, or to lower the costs to consumers.

Over the past week, over 40 organizations representing thousands of American businesses have voiced their support for the important reforms of the Commodity End-User Relief Act. Businesses from agriculture producers, to

major manufacturers, to public utilities need every tool available to manage their businesses and reduce the uncertainties they face each and every day.

I urge my colleagues to support the Commodity End-User Relief Act to protect these companies and to ensure that they have the tools they need to compete in a global economy. I urge my colleagues to support H.R. 2289.

I yield back the balance of my time.

Ms. MAXINE WATERS of California. Mr. Chair, I rise today in strong opposition to H.R. 2289. The bill would obstruct our cop on the Wall Street beat, the Commodity Futures Trading Commission, from doing its job. The CFTC is charged with fostering open, transparent, competitive, and financially sound markets, mitigates systemic risk, and protects market participants, consumers, and the public from fraud, manipulation, and abusive practices related to derivatives. In sum, the CFTC protects farmers, manufacturers, municipalities, pension funds and retirees but would be thwarted from doing so if H.R. 2289 is enacted.

In the wake of the worst financial crisis since the Great Depression, Congress passed Wall Street Reform—and gave our derivatives regulator the authority necessary to oversee previously unregulated transactions in which parties agree to exchange—or ''swap''—the risks of one financial instrument with another. The most notorious of these are credit-default swaps, made famous by AIG and which fueled the 2008 crisis, bankrupted millions of homeowners and cost taxpayers trillions of dollars.

Nevertheless, under the guise of reauthorizing the CFTC, Republicans are proposing a bill that undermines its regulatory authority, imposes new procedural requirements on an overburdened and underfunded agency, and ultimately hamstrings the Commission's ability to protect the American people.

This bill imposes heavy administrative hurdles and new litigation risks on the CFTC by requiring the agency to conduct a cost-benefit analysis slanted towards industry—a tactic that has been pushed in the past by opponents of financial reform to prevent, delay or weaken any rules implementing the Dodd-Frank Act.

The bill also makes it much more difficult for the CFTC to regulate and oversee derivatives transactions involving the foreign operations of megabanks like Citigroup, JP Morgan, and Bank of America. Earlier this Congress, Republicans overreached when they tried to pass a provision weakening the Volcker Rule's ban on banks taking bets with taxpayer dollars. H.R. 2289 is cut from the same cloth—instead allowing these same institutions to avoid U.S. law by setting up shop in a foreign jurisdiction, even though the risk may still be borne by U.S. taxpayers. There is even a provision in this bill that absurdly directs the CFTC to ignore the physical location of a bank's swap trader when determining whether the derivative was conducted inside the United States for purposes of applying U.S. law.

And all of this is done without providing one red cent to pay for these new burdens. CBO estimates that this bill costs at least $45 million, but the Republicans wouldn't even let the House consider an amendment to pay for it, offered by Representative DELAURO. The result is that H.R. 2289 will deplete the CFTC's modest resources currently spent enforcing against fraud.

But don't take my word for it. The Commission's own Chairman says the bill makes it harder for the CFTC to fulfill its mission and creates ''unintended loopholes and uncertainties.'' The White House says the bill ''[threatens] the financial security of the middle class.'' And public interest groups, such as the Consumer Federation of America, and some industry groups, have weighed in as well, voicing their strong opposition to the bill.

While not necessarily surprising, Republicans on the Agricultural Committee refused to work with Ranking Member PETERSON to improve this bill—despite his deep commitment to making the Commission work better for farmers, ranchers and manufacturers. Even though several of the megabanks that directly benefit from H.R. 2289 pled guilty to manipulating our foreign exchange markets, Republicans also rejected my amendment, which sought to ensure that these banks' admissions of violating our laws have real collateral consequences and are not merely symbolic.

Ultimately, this legislation is part of an ongoing, multifaceted Republican effort to undercut financial reform laws and regulations that protect consumers, investors and the economy. That's why it should come as no surprise that Koch Industries, for instance, spent $2.8 million lobbying to ensure the passage of this bill alone. The playbook is well-known: create huge loopholes and carve-outs for special interests, while simultaneously underfunding the cop with the authority to ensure compliance with the law.

I urge my colleagues to join me in voting ''No'' on this bill.

Mr. VAN HOLLEN. Mr. Chair, just yesterday, I signed a letter with five other Ranking Members on this side of the aisle in opposition to this poorly conceived Commodity Futures Trading Commission (CFTC) Reauthorization bill—which is also opposed by the Obama Administration, CFTC Chairman Massad, and a whole host of consumer groups.

For those who aren't familiar with it, the Commodity Futures Trading Commission (CFTC) has a very important job: it regulates the futures and options markets in the agricultural sector, including commodity-related derivatives. While there's no question that the appropriate use of these financial instruments can help farmers and commercial end users hedge their commercial risk, recent history clearly demonstrates that the unregulated abuse of these kinds of products can distort markets, hurt consumers and put our entire economy at risk. The CFTC's authority was allowed to expire in 2013, so its reauthorization is long overdue. Having said that, today's legislation has multiple major defects. I will briefly describe three.

First, Title II of H.R. 2289 imposes new bureaucratic requirements on an agency whose activities are already governed by the Commodity Exchange Act, the Paperwork Reduction Act, the Congressional Review Act, and the Regulatory Flexibility Act. With all due respect, the bureaucracy does not need more bureaucracy. In this case, it simply needs to do its job policing our financial markets. If enacted into law, Title II of this bill would undermine the CFTC's ability to do its job and subject the commission to unnecessary and costly litigation risk.

Second, Title III of H.R. 2289 requires a complex new rulemaking for our international derivatives markets. While I support the goal of harmonizing global rules in this area, this provision of the bill interferes with the CFTC's ongoing negotiations to achieve that objective and instead substitutes and attempts to predetermine the majority's preferred outcome for those negotiations. In my judgment, the CFTC should be allowed to complete its negotiations unfettered by the dictates of this legislation.

Finally, the non-partisan Congressional Budget Office estimates that all of the additional requirements placed on the CFTC by this legislation will require 30 new employees at a cost of $45 million over the next five years—a cost this bill does not even attempt to pay for. Moreover, an amendment to permit the CFTC to collect user fees to close that gap and help pay for the CFTC's operations was not even afforded the opportunity for an up or down vote on the floor of the House today.

Mr. Chair, the reauthorization of the CFTC is an important subject, worthy of a far more thoughtful bill than we are being asked to consider today. I strongly urge a no vote, and I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Agriculture, printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–18. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 2289

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Commodity End-User Relief Act''.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

TITLE I—CUSTOMER PROTECTIONS

SEC. 101. ENHANCED PROTECTIONS FOR FUTURES CUSTOMERS.

Section 17 of the Commodity Exchange Act (7 U.S.C. 21) is amended by adding at the end the following:

''(s) A registered futures association shall—

''(1) require each member of the association that is a futures commission merchant to maintain written policies and procedures regarding the maintenance of—

''(A) the residual interest of the member, as described in section 1.23 of title 17, Code of Federal Regulations, in any customer segregated funds account of the member, as identified in section 1.20 of such title, and in any foreign futures and foreign options customer secured amount funds account of the member, as identified in section 30.7 of such title; and

''(B) the residual interest of the member, as described in section 22.2(e)(4) of such title, in any cleared swaps customer collateral account of the member, as identified in section 22.2 of such title; and

''(2) establish rules to govern the withdrawal, transfer or disbursement by any member of the association, that is a futures commission merchant, of the member's residual interest in customer segregated funds as provided in such section 1.20, in foreign futures and foreign options customer secured amount funds, identified as provided in such section 30.7, and from a cleared swaps customer collateral, identified as provided in such section 22.2.''.

SEC. 102. ELECTRONIC CONFIRMATION OF CUSTOMER FUNDS.

Section 17 of the Commodity Exchange Act (7 U.S.C. 21), as amended by section 101 of this Act, is amended by adding at the end the following:

''(t) A registered futures association shall require any member of the association that is a futures commission merchant to—

''(1) use an electronic system or systems to report financial and operational information to the association or another party designated by the registered futures association, including information related to customer segregated funds, foreign futures and foreign options customer secured amount funds accounts, and cleared swaps customer collateral, in accordance with such terms, conditions, documentation standards, and regular time intervals as are established by the registered futures association;

''(2) instruct each depository, including any bank, trust company, derivatives clearing organization, or futures commission merchant, holding customer segregated funds under section 1.20 of title 17, Code of Federal Regulations, foreign futures and foreign options customer secured amount funds under section 30.7 of such title, or cleared swap customer funds under section 22.2 of such title, to report balances in the futures commission merchant's section 1.20 customer segregated funds, section 30.7 foreign futures and foreign options customer secured amount funds, and section 22.2 cleared swap customer funds, to the registered futures association or another party designated by the registered futures association, in the form, manner, and interval prescribed by the registered futures association; and

''(3) hold section 1.20 customer segregated funds, section 30.7 foreign futures and foreign options customer secured amount funds and section 22.2 cleared swaps customer funds in a depository that reports the balances in these accounts of the futures commission merchant held at the depository to the registered futures association or another party designated by the registered futures association in the form, manner, and interval prescribed by the registered futures association.''.

SEC. 103. NOTICE AND CERTIFICATIONS PROVIDING ADDITIONAL CUSTOMER PROTECTIONS.

Section 17 of the Commodity Exchange Act (7 U.S.C. 21), as amended by sections 101 and 102 of this Act, is amended by adding at the end the following:

''(u) A futures commission merchant that has adjusted net capital in an amount less than the amount required by regulations established by the Commission or a self-regulatory organization of which the futures commission merchant is a member shall immediately notify the Commission and the self-regulatory organization of this occurrence.

''(v) A futures commission merchant that does not hold a sufficient amount of funds in segregated accounts for futures customers under section 1.20 of title 17, Code of Federal Regulations, in foreign futures and foreign options secured amount accounts for foreign futures and foreign options secured amount customers under section 30.7 of such title, or in segregated accounts for cleared swap customers under section 22.2 of such title, as required by regulations established by the Commission or a self-regulatory organization of which the futures commission merchant is a member, shall immediately notify the Commission and the self-regulatory organization of this occurrence.

''(w) Within such time period established by the Commission after the end of each fiscal year, a futures commission merchant shall file with the Commission a report from the chief compliance officer of the futures commission merchant containing an assessment of the internal compliance programs of the futures commission merchant.''.

SEC. 104. FUTURES COMMISSION MERCHANT COMPLIANCE.

(a) IN GENERAL.—Section 4d(a) of the Commodity Exchange Act (7 U.S.C. 6d(a)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B);

(2) by inserting ''(1)'' before ''It shall be unlawful''; and

(3) by adding at the end the following new paragraph:

''(2) Any rules or regulations requiring a futures commission merchant to maintain a residual interest in accounts held for the benefit of customers in amounts at least sufficient to exceed the sum of all uncollected margin deficits of such customers shall provide that a futures commission merchant shall meet its residual interest requirement as of the end of each business day calculated as of the close of business on the previous business day.''.

(b) CONFORMING AMENDMENT.—Section 4d(h) of such Act (7 U.S.C. 6d(h)) is amended by striking ''Notwithstanding subsection (a)(2)'' and inserting ''Notwithstanding subsection (a)(1)(B)''.

SEC. 105. CERTAINTY FOR FUTURES CUSTOMERS AND MARKET PARTICIPANTS.

Section 20(a) of the Commodity Exchange Act (7 U.S.C. 24(a)) is amended—

(1) by striking ''and'' at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting ''; and''; and

(3) by adding at the end the following:

''(6) that cash, securities, or other property of the estate of a commodity broker, including the trading or operating accounts of the commodity broker and commodities held in inventory by the commodity broker, shall be included in customer property, subject to any otherwise unavoidable security interest, or otherwise unavoidable contractual offset or netting rights of creditors (including rights set forth in a rule or bylaw of a derivatives clearing organization or a clearing agency) in respect of such property, but only to the extent that the property that is otherwise customer property is insufficient to satisfy the net equity claims of public customers (as such term may be defined by the Commission by rule or regulation) of the commodity broker.''.

TITLE II—COMMODITY FUTURES TRADING COMMISSION REFORMS

SEC. 201. EXTENSION OF OPERATIONS.

Section 12(d) of the Commodity Exchange Act (7 U.S.C. 16(d)) is amended by striking ''2013'' and inserting ''2019''.

SEC. 202. CONSIDERATION BY THE COMMODITY FUTURES TRADING COMMISSION OF THE COSTS AND BENEFITS OF ITS REGULATIONS AND ORDERS.

Section 15(a) of the Commodity Exchange Act (7 U.S.C. 19(a)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—Before promulgating a regulation under this Act or issuing an order (except as provided in paragraph (3)), the Commission, through the Office of the Chief Economist, shall assess and publish in the regulation or order the costs and benefits, both qualitative and quantitative, of the proposed regulation or order, and the proposed regulation or order shall state its statutory justification.

''(2) CONSIDERATIONS.—In making a reasoned determination of the costs and the benefits, the Commission shall evaluate—

''(A) considerations of protection of market participants and the public;

''(B) considerations of the efficiency, competitiveness, and financial integrity of futures and swaps markets;

''(C) considerations of the impact on market liquidity in the futures and swaps markets;

''(D) considerations of price discovery;

''(E) considerations of sound risk management practices;

''(F) available alternatives to direct regulation;

''(G) the degree and nature of the risks posed by various activities within the scope of its jurisdiction;

''(H) the costs of complying with the proposed regulation or order by all regulated entities, including a methodology for quantifying the costs (recognizing that some costs are difficult to quantify);

''(I) whether the proposed regulation or order is inconsistent, incompatible, or duplicative of other Federal regulations or orders;

''(J) the cost to the Commission of implementing the proposed regulation or order by the Commission staff, including a methodology for quantifying the costs;

''(K) whether, in choosing among alternative regulatory approaches, those approaches maximize net benefits (including potential economic and other benefits, distributive impacts, and equity); and

''(L) other public interest considerations.''; and

(2) by adding at the end the following:

''(4) JUDICIAL REVIEW.—Notwithstanding section 24(d), a court shall affirm a Commission assessment of costs and benefits under this subsection, unless the court finds the assessment to be an abuse of discretion.''.

SEC. 203. DIVISION DIRECTORS.

Section 2(a)(6)(C) of the Commodity Exchange Act (7 U.S.C. 2(a)(6)(C)) is amended by inserting '', and the heads of the units shall serve at the pleasure of the Commission'' before the period.

SEC. 204. OFFICE OF THE CHIEF ECONOMIST.

(a) IN GENERAL.—Section 2(a) of the Commodity Exchange Act (7 U.S.C. 2(a)) is amended by adding at the end the following:

''(17) OFFICE OF THE CHIEF ECONOMIST.—

''(A) ESTABLISHMENT.—There is established in the Commission the Office of the Chief Economist.

''(B) HEAD.—The Office of the Chief Economist shall be headed by the Chief Economist, who shall be appointed by the Commission and serve at the pleasure of the Commission.

''(C) FUNCTIONS.—The Chief Economist shall report directly to the Commission and perform such functions and duties as the Commission may prescribe.

''(D) PROFESSIONAL STAFF.—The Commission shall appoint such other economists as may be necessary to assist the Chief Economist in performing such economic analysis, regulatory cost-benefit analysis, or research any member of the Commission may request.''.

(b) CONFORMING AMENDMENT.—Section 2(a)(6)(A) of such Act (7 U.S.C. 2(a)(6)(A)) is amended by striking ''(4) and (5) of this subsection'' and inserting ''(4), (5), and (17)''.

SEC. 205. PROCEDURES GOVERNING ACTIONS TAKEN BY COMMISSION STAFF.

Section 2(a)(12) of the Commodity Exchange Act (7 U.S.C. 2(a)(12)) is amended—

(1) by striking ''(12) The'' and inserting the following:

''(12) RULES AND REGULATIONS.—

''(A) IN GENERAL.—Subject to the other provisions of this paragraph, the''; and

(2) by adding after and below the end the following new subparagraph:

''(B) NOTICE TO COMMISSIONERS.—The Commission shall develop and publish internal procedures governing the issuance by any division or office of the Commission of any response to a formal, written request or petition from any member of the public for an exemptive, a no-action, or an interpretive letter and such procedures shall provide that the commissioners be provided with the final version of the matter to be issued with sufficient notice to review the matter prior to its issuance.''.

SEC. 206. STRATEGIC TECHNOLOGY PLAN.

Section 2(a) of the Commodity Exchange Act (7 U.S.C. 2(a)), as amended by section 204(a) of this Act, is amended by adding at the end the following:

''(18) STRATEGIC TECHNOLOGY PLAN.—

''(A) IN GENERAL.—Every 5 years, the Commission shall develop and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a detailed plan focused on the acquisition and use of technology by the Commission.

''(B) CONTENTS.—The plan shall—

''(i) include for each related division or office a detailed technology strategy focused on market surveillance and risk detection, market data collection, aggregation, interpretation, standardization, harmonization, normalization, validation, streamlining or other data analytic processes, and internal management and protection of data collected by the Commission, including a detailed accounting of how the funds provided for technology will be used and the priorities that will apply in the use of the funds; and

''(ii) set forth annual goals to be accomplished and annual budgets needed to accomplish the goals.''.

SEC. 207. INTERNAL RISK CONTROLS.

Section 2(a)(12) of the Commodity Exchange Act (7 U.S.C. 2(a)(12)), as amended by section 205 of this Act, is amended by adding at the end the following:

''(C) INTERNAL RISK CONTROLS.—The Commission, in consultation with the Chief Economist, shall develop comprehensive internal risk control mechanisms to safeguard and govern the storage of all market data by the Commission, all market data sharing agreements of the Commission, and all academic research performed at the Commission using market data.''.

SEC. 208. SUBPOENA DURATION AND RENEWAL.

Section 6(c)(5) of the Commodity Exchange Act (7 U.S.C. 9(5)) is amended—

(1) by striking ''(5) SUBPOENA.—For'' and inserting the following:

''(5) SUBPOENA.—

''(A) IN GENERAL.—For''; and

(2) by adding after and below the end the following:

''(B) OMNIBUS ORDERS OF INVESTIGATION.—

''(i) DURATION AND RENEWAL.—An omnibus order of investigation shall not be for an indefinite duration and may be renewed only by Commission action.

''(ii) DEFINITION.—In clause (i), the term 'omnibus order of investigation' means an order of the Commission authorizing 1 of more members of the Commission or its staff to issue subpoenas under subparagraph (A) to multiple persons in relation to a particular subject matter area.''.

SEC. 209. APPLICABILITY OF NOTICE AND COMMENT REQUIREMENTS OF THE ADMINISTRATIVE PROCEDURE ACT TO GUIDANCE VOTED ON BY THE COMMISSION.

Section 2(a)(12) of the Commodity Exchange Act (7 U.S.C. 2(a)(12)), as amended by sections 205 and 207 of this Act, is amended by adding at the end the following:

''(D) APPLICABILITY OF NOTICE AND COMMENT RULES TO GUIDANCE VOTED ON BY THE COMMISSION.—The notice and comment requirements of section 553 of title 5, United States Code, shall also apply with respect to any Commission statement or guidance, including interpretive rules, general statements of policy, or rules of Commission organization, procedure, or practice, that has the effect of implementing, interpreting or prescribing law or policy and that is voted on by the Commission.''.

SEC. 210. JUDICIAL REVIEW OF COMMISSION RULES.

The Commodity Exchange Act (7 U.S.C. 1 et seq.) is amended by adding at the end the following:

''SEC. 24. JUDICIAL REVIEW OF COMMISSION RULES.

''(a) A person adversely affected by a rule of the Commission promulgated under this Act may obtain review of the rule in the United States Court of Appeals for the District of Columbia Circuit or the United States Court of Appeals for the circuit where the party resides or has the principal place of business, by filing in the court, within 60 days after publication in the Federal Register of the entry of the rule, a written petition requesting that the rule be set aside.

''(b) A copy of the petition shall be transmitted forthwith by the clerk of the court to an officer designated by the Commission for that purpose. Thereupon the Commission shall file in the court the record on which the rule complained of is entered, as provided in section 2112 of title 28, United States Code, and the Federal Rules of Appellate Procedure.

''(c) On the filing of the petition, the court has jurisdiction, which becomes exclusive on the filing of the record, to affirm and enforce or to set aside the rule in whole or in part.

''(d) The court shall affirm and enforce the rule unless the Commission's action in promulgating the rule is found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law; contrary to constitutional right, power, privilege, or immunity; in excess of statutory jurisdiction, authority, or limitations, or short of statutory right; or without observance of procedure required by law.''.

SEC. 211. GAO STUDY ON USE OF COMMISSION RESOURCES.

(a) STUDY.—The Comptroller General of the United States shall conduct a study of the resources of the Commodity Futures Trading Commission that—

(1) assesses whether the resources of the Commission are sufficient to enable the Commission to effectively carry out the duties of the Commission;

(2) examines the expenditures of the Commission on hardware, software, and analytical processes designed to protect customers in the areas of—

(A) market surveillance and risk detection; and

(B) market data collection, aggregation, interpretation, standardization, harmonization, and streamlining;

(3) analyzes the additional workload undertaken by the Commission, and ascertains where self-regulatory organizations could be more effectively utilized; and

(4) examines existing and emerging post-trade risk reduction services in the swaps market, the notional amount of risk reduction transactions provided by the services, and the effects the services have on financial stability, including—

(A) market surveillance and risk detection;

(B) market data collection, aggregation, interpretation, standardization, harmonization, and streamlining; and

(C) oversight and compliance work by market participants and regulators.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit

to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that contains the results of the study required by subsection (a).

SEC. 212. DISCLOSURE OF REQUIRED DATA OF OTHER REGISTERED ENTITIES.

Section 8 of the Commodity Exchange Act (7 U.S.C. 12) is amended by adding at the end the following:

''(j) DISCLOSURE OF REQUIRED DATA OF OTHER REGISTERED ENTITIES.—

''(1) Except as provided in this subsection, the Commission may not be compelled to disclose any proprietary information provided to the Commission, except that nothing in this subsection—

''(A) authorizes the Commission to withhold information from Congress; or

''(B) prevents the Commission from—

''(i) complying with a request for information from any other Federal department or agency, any State or political subdivision thereof, or any foreign government or any department, agency, or political subdivision thereof requesting the report or information for purposes within the scope of its jurisdiction, upon an agreement of confidentiality to protect the information in a manner consistent with this paragraph and subsection (e); or

''(ii) making a disclosure made pursuant to a court order in connection with an administrative or judicial proceeding brought under this Act, in any receivership proceeding involving a receiver appointed in a judicial proceeding brought under this Act, or in any bankruptcy proceeding in which the Commission has intervened or in which the Commission has the right to appear and be heard under title 11 of the United States Code.

''(2) Any proprietary information of a commodity trading advisor or commodity pool operator ascertained by the Commission in connection with Form CPO-PQR, Form CTA-PR, and any successor forms thereto, shall be subject to the same limitations on public disclosure, as any facts ascertained during an investigation, as provided by subsection (a); provided, however, that the Commission shall not be precluded from publishing aggregate information compiled from such forms, to the extent such aggregate information does not identify any individual person or firm, or such person's proprietary information.

''(3) For purposes of section 552 of title 5, United States Code, this subsection, and the information contemplated herein, shall be considered a statute described in subsection (b)(3)(B) of such section 552.

''(4) For purposes of the definition of proprietary information in paragraph (5), the records and reports of any client account or commodity pool to which a commodity trading advisor or commodity pool operator registered under this title provides services that are filed with the Commission on Form CPO-PQR, CTA-PR, and any successor forms thereto, shall be deemed to be the records and reports of the commodity trading advisor or commodity pool operator, respectively.

''(5) For purposes of this section, proprietary information of a commodity trading advisor or commodity pool operator includes sensitive, nonpublic information regarding—

''(A) the commodity trading advisor, commodity pool operator or the trading strategies of the commodity trading advisor or commodity pool operator;

''(B) analytical or research methodologies of a commodity trading advisor or commodity pool operator;

''(C) trading data of a commodity trading advisor or commodity pool operator; and

''(D) computer hardware or software containing intellectual property of a commodity trading advisor or commodity pool operator;''.

SEC. 213. REPORT ON STATUS OF ANY APPLICATION OF METALS EXCHANGE TO REGISTER AS A FOREIGN BOARD OF TRADE; DEADLINE FOR ACTION ON APPLICATION.

(a) REPORT TO CONGRESS.—Within 90 days after the date of the enactment of this section, the Commodity Futures Trading Commission shall submit to the Congress a written report on—

(1) the status of the review by the Commission of any application submitted by a metals exchange to register with the Commission under section 4(b)(1) of the Commodity Exchange Act; and

(2) the status of Commission negotiations with foreign regulators regarding aluminum warehousing.

(b) DEADLINE FOR ACTION.—Not later than September 30, 2016, the Commission shall take action on any such application submitted to the Commission on or before August 14, 2012.

TITLE III—END-USER RELIEF

SEC. 301. RELIEF FOR HEDGERS UTILIZING CENTRALIZED RISK MANAGEMENT PRACTICES.

(a) IN GENERAL.—

(1) COMMODITY EXCHANGE ACT AMENDMENT.—Section 2(h)(7)(D)(i) of the Commodity Exchange Act (7 U.S.C. 2(h)(7)(D)(i)) is amended to read as follows:

''(i) IN GENERAL.—An affiliate of a person that qualifies for an exception under subparagraph (A) (including an affiliate entity predominantly engaged in providing financing for the purchase of the merchandise or manufactured goods of the person) may qualify for the exception only if the affiliate enters into the swap to hedge or mitigate the commercial risk of the person or other affiliate of the person that is not a financial entity, provided that if the hedge or mitigation of such commercial risk is addressed by entering into a swap with a swap dealer or major swap participant, an appropriate credit support measure or other mechanism must be utilized.''.

(2) SECURITIES EXCHANGE ACT OF 1934 AMENDMENT.—Section 3C(g)(4)(A) of the Securities Exchange Act of 1934 (15 U.S.C. 78c-3(g)(4)(A)) is amended to read as follows:

''(A) IN GENERAL.—An affiliate of a person that qualifies for an exception under paragraph (1) (including affiliate entities predominantly engaged in providing financing for the purchase of the merchandise or manufactured goods of the person) may qualify for the exception only if the affiliate enters into the security-based swap to hedge or mitigate the commercial risk of the person or other affiliate of the person that is not a financial entity, provided that if the hedge or mitigation of such commercial risk is addressed by entering into a security-based swap with a security-based swap dealer or major security-based swap participant, an appropriate credit support measure or other mechanism must be utilized.''.

(b) APPLICABILITY OF CREDIT SUPPORT MEASURE REQUIREMENT.—The requirements in section 2(h)(7)(D)(i) of the Commodity Exchange Act and section 3C(g)(4)(A) of the Securities Exchange Act of 1934, as amended by subsection (a), requiring that a credit support measure or other mechanism be utilized if the transfer of commercial risk referred to in such sections is addressed by entering into a swap with a swap dealer or major swap participant or a security-based swap with a security-based swap dealer or major security-based swap participant, as appropriate, shall not apply with respect to swaps or security-based swaps, as appropriate, entered into before the date of the enactment of this Act.

SEC. 302. INDEMNIFICATION REQUIREMENTS.

(a) DERIVATIVES CLEARING ORGANIZATIONS.—Section 5b(k)(5) of the Commodity Exchange Act (7 U.S.C. 7a-1(k)(5)) is amended to read as follows:

''(5) CONFIDENTIALITY AGREEMENT.—Before the Commission may share information with any entity described in paragraph (4), the Commission shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.''.

(b) SWAP DATA REPOSITORIES.—Section 21(d) of such Act (7 U.S.C. 24a(d)) is amended to read as follows:

''(d) CONFIDENTIALITY AGREEMENT.—Before the swap data repository may share information with any entity described in subsection (c)(7), the swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.''.

(c) SECURITY-BASED SWAP DATA REPOSITORIES.—Section 13(n)(5)(H) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(n)(5)(H)) is amended to read as follows:

''(H) CONFIDENTIALITY AGREEMENT.—Before the security-based swap data repository may share information with any entity described in subparagraph (G), the security-based swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 24 relating to the information on security-based swap transactions that is provided.''.

SEC. 303. TRANSACTIONS WITH UTILITY SPECIAL ENTITIES.

Section 1a(49) of the Commodity Exchange Act (7 U.S.C. 1a(49)) is amended by adding at the end the following:

''(E) CERTAIN TRANSACTIONS WITH A UTILITY SPECIAL ENTITY.—

''(i) Transactions in utility operations-related swaps shall be reported pursuant to section 4r.

''(ii) In making a determination to exempt pursuant to subparagraph (D), the Commission shall treat a utility operations-related swap entered into with a utility special entity, as defined in section 4s(h)(2)(D), as if it were entered into with an entity that is not a special entity, as defined in section 4s(h)(2)(C).''.

SEC. 304. UTILITY SPECIAL ENTITY DEFINED.

Section 4s(h)(2) of the Commodity Exchange Act (7 U.S.C. 6s(h)(2)) is amended by adding at the end the following:

''(D) UTILITY SPECIAL ENTITY.—For purposes of this Act, the term 'utility special entity' means a special entity, or any instrumentality, department, or corporation of or established by a State or political subdivision of a State, that—

''(i) owns or operates, or anticipates owning or operating, an electric or natural gas facility or an electric or natural gas operation;

''(ii) supplies, or anticipates supplying, natural gas and or electric energy to another utility special entity;

''(iii) has, or anticipates having, public service obligations under Federal, State, or local law or regulation to deliver electric energy or natural gas service to customers; or

''(iv) is a Federal power marketing agency, as defined in section 3 of the Federal Power Act.''.

SEC. 305. UTILITY OPERATIONS-RELATED SWAP.

(a) SWAP FURTHER DEFINED.—Section 1a(47)(A)(iii) of the Commodity Exchange Act (7 U.S.C. 1a(47)(A)(iii)) is amended—

(1) by striking ''and'' at the end of subclause (XXI);

(2) by adding ''and'' at the end of subclause (XXII); and

(3) by adding at the end the following:

''(XXIII) a utility operations-related swap;''.

(b) UTILITY OPERATIONS-RELATED SWAP DEFINED.—Section 1a of such Act (7 U.S.C. 1a) is amended by adding at the end the following:

''(52) UTILITY OPERATIONS-RELATED SWAP.—The term 'utility operations-related swap' means a swap that—

''(A) is entered into by a utility to hedge or mitigate a commercial risk;

''(B) is not a contract, agreement, or transaction based on, derived on, or referencing—

''(i) an interest rate, credit, equity, or currency asset class; or

''(ii) except as used for fuel for electric energy generation, a metal, agricultural commodity, or crude oil or gasoline commodity of any grade; or

''(iii) any other commodity or category of commodities identified for this purpose in a rule or order adopted by the Commission in consultation with the appropriate Federal and State regulatory commissions; and

''(C) is associated with—

''(i) the generation, production, purchase, or sale of natural gas or electric energy, the supply of natural gas or electric energy to a utility, or the delivery of natural gas or electric energy service to utility customers;

''(ii) fuel supply for the facilities or operations of a utility;

''(iii) compliance with an electric system reliability obligation;

''(iv) compliance with an energy, energy efficiency, conservation, or renewable energy or environmental statute, regulation, or government order applicable to a utility; or

''(v) any other electric energy or natural gas swap to which a utility is a party.''.

SEC. 306. END-USERS NOT TREATED AS FINANCIAL ENTITIES.

(a) IN GENERAL.—Section 2(h)(7)(C)(iii) of the Commodity Exchange Act (7 U.S.C. 2(h)(7)(C)(iii)) is amended to read as follows:

''(iii) LIMITATION.—Such definition shall not include an entity—

''(I) whose primary business is providing financing, and who uses derivatives for the purpose of hedging underlying commercial risks related to interest rate and foreign currency exposures, 90 percent or more of which arise from financing that facilitates the purchase or lease of products, 90 percent or more of which are manufactured by the parent company or another subsidiary of the parent company; or

''(II) who is not supervised by a prudential regulator, and is not described in any of subclauses (I) through (VII) of clause (i), and—

''(aa) is a commercial market participant; or

''(bb) enters into swaps, contracts for future delivery, and other derivatives on behalf of, or to hedge or mitigate the commercial risk of, whether directly or in the aggregate, affiliates that are not so supervised or described.''.

(b) COMMERCIAL MARKET PARTICIPANT DEFINED.—

(1) IN GENERAL.—Section 1a of such Act (7 U.S.C. 1a), as amended by section 305(b) of this Act, is amended by redesignating paragraphs (8) through (52) as paragraphs (9) through (53), respectively, and by inserting after paragraph (6) the following:

''(7) COMMERCIAL MARKET PARTICIPANT.—The term 'commercial market participant' means any producer, processor, merchant, or commercial user of an exempt or agricultural commodity, or the products or byproducts of such a commodity.''.

(2) CONFORMING AMENDMENTS.—

(A) Section 1a of such Act (7 U.S.C. 1a) is amended—

(i) in subparagraph (A) of paragraph (18) (as so redesignated by paragraph (1) of this subsection), in the matter preceding clause (i), by striking ''(18)(A)'' and inserting ''(19)(A)''; and

(ii) in subparagraph (A)(vii) of paragraph (19) (as so redesignated by paragraph (1) of this subsection), in the matter following subclause (III), by striking ''(17)(A)'' and inserting ''(18)(A)''.

(B) Section 4(c)(1)(A)(i)(I) of such Act (7 U.S.C. 6(c)(1)(A)(i)(I)) is amended by striking ''(7), paragraph (18)(A)(vii)(III), paragraphs (23), (24), (31), (32), (38), (39), (41), (42), (46), (47), (48), and (49)'' and inserting ''(8), paragraph (19)(A)(vii)(III), paragraphs (24), (25), (32), (33), (39), (40), (42), (43), (47), (48), (49), and (50)''.

(C) Section 4q(a)(1) of such Act (7 U.S.C. 6o-1(a)(1)) is amended by striking ''1a(9)'' and inserting ''1a(10)''.

(D) Section 4s(f)(1)(D) of such Act (7 U.S.C. 6s(f)(1)(D)) is amended by striking ''1a(47)(A)(v)'' and inserting ''1a(48)(A)(v)''.

(E) Section 4s(h)(5)(A)(i) of such Act (7 U.S.C. 6s(h)(5)(A)(i)) is amended by striking ''1a(18)'' and inserting ''1a(19)''.

(F) Section 4t(b)(1)(C) of such Act (7 U.S.C. 6t(b)(1)(C)) is amended by striking ''1a(47)(A)(v)'' and inserting ''1a(48)(A)(v)''.

(G) Section 5(d)(23) of such Act (7 U.S.C. 7(d)(23)) is amended by striking ''1a(47)(A)(v)'' and inserting ''1a(48)(A)(v)''.

(H) Section 5(e)(1) of such Act (7 U.S.C. 7(e)(1)) is amended by striking ''1a(9)'' and inserting ''1a(10)''.

(I) Section 5b(k)(3)(A) of such Act (7 U.S.C. 7a-1(k)(3)(A)) is amended by striking ''1a(47)(A)(v)'' and inserting ''1a(48)(A)(v)''.

(J) Section 5h(f)(10)(A)(iii) of such Act (7 U.S.C. 7b-3(f)(10)(A)(iii)) is amended by striking ''1a(47)(A)(v)'' and inserting ''1a(48)(A)(v)''.

(K) Section 21(f)(4)(C) of such Act (7 U.S.C. 24a(f)(4)(C)) is amended by striking ''1a(48)'' and inserting ''1a(49)''.

SEC. 307. REPORTING OF ILLIQUID SWAPS SO AS TO NOT DISADVANTAGE CERTAIN NON-FINANCIAL END-USERS.

Section 2(a)(13) of the Commodity Exchange Act (7 U.S.C. 2(a)(13)) is amended—

(1) in subparagraph (C), by striking ''The Commission'' and inserting ''Except as provided in subparagraph (D), the Commission''; and

(2) by redesignating subparagraphs (D) through (G) as subparagraphs (E) through (H), respectively, and inserting after subparagraph (C) the following:

''(D) REQUIREMENTS FOR SWAP TRANSACTIONS IN ILLIQUID MARKETS.—Notwithstanding subparagraph (C):

''(i) The Commission shall provide by rule for the public reporting of swap transactions, including price and volume data, in illiquid markets that are not cleared and entered into by a non-financial entity that is hedging or mitigating commercial risk in accordance with subsection (h)(7)(A).

''(ii) The Commission shall ensure that the swap transaction information referred to in clause (i) of this subparagraph is available to the public no sooner than 30 days after the swap transaction has been executed or at such later date as the Commission determines appropriate to protect the identity of participants and positions in illiquid markets and to prevent the elimination or reduction of market liquidity.

''(iii) In this subparagraph, the term 'illiquid markets' means any market in which the volume and frequency of trading in swaps is at such a level as to allow identification of individual market participants.''.

SEC. 308. RELIEF FOR GRAIN ELEVATOR OPERATORS, FARMERS, AGRICULTURAL COUNTERPARTIES, AND COMMERCIAL MARKET PARTICIPANTS.

The Commodity Exchange Act (7 U.S.C. 1 et seq.) is amended by inserting after section 4t the following:

''SEC. 4u. RECORDKEEPING REQUIREMENTS APPLICABLE TO NON-REGISTERED MEMBERS OF CERTAIN REGISTERED ENTITIES.

''Except as provided in section 4(a)(3), a member of a designated contract market or a swap execution facility that is not registered with the Commission and not required to be registered with the Commission in any capacity shall satisfy the recordkeeping requirements of this Act and any recordkeeping rule, order, or regulation under this Act by maintaining a written record of each transaction in a contract for future delivery, option on a future, swap, swaption, trade option, or related cash or forward transaction. The written record shall be sufficient if it includes the final agreement between the parties and the material economic terms of the transaction.''.

SEC. 309. RELIEF FOR END-USERS WHO USE PHYSICAL CONTRACTS WITH VOLUMETRIC OPTIONALITY.

Section 1a(47)(B)(ii) of the Commodity Exchange Act (7 U.S.C. 1a(47)(B)(ii)) is amended to read as follows:

''(ii) any purchase or sale of a nonfinancial commodity or security for deferred shipment or delivery, so long as the transaction is intended to be physically settled, including any standalone or embedded option for which exercise results in a physical delivery obligation;''.

SEC. 310. COMMISSION VOTE REQUIRED BEFORE AUTOMATIC CHANGE OF SWAP DEALER DE MINIMIS LEVEL.

Section 1a(49)(D) of the Commodity Exchange Act (7 U.S.C. 1a(49)(D)) is amended—

(1) by striking all that precedes ''shall exempt'' and inserting the following:

''(D) EXCEPTION.—

''(i) IN GENERAL.—The Commission''; and

(2) by adding after and below the end the following new clause:

''(ii) DE MINIMIS QUANTITY.—The de minimis quantity of swap dealing described in clause (i) shall be set at a quantity of $8,000,000,000, and may be amended or changed only through a new affirmative action of the Commission undertaken by rule or regulation.''.

SEC. 311. CAPITAL REQUIREMENTS FOR NON-BANK SWAP DEALERS.

(a) COMMODITY EXCHANGE ACT.—Section 4s(e) of the Commodity Exchange Act (7 U.S.C. 6s(e)) is amended—

(1) in paragraph (2)(B), by striking ''shall'' and inserting the following: ''and the Securities and Exchange Commission, in consultation with the prudential regulators, shall jointly''; and

(2) in paragraph (3)(D)—

(A) in clause (ii), by striking ''shall, to the maximum extent practicable,'' and inserting ''shall''; and

(B) by adding at the end the following:

''(iii) FINANCIAL MODELS.—To the extent that swap dealers and major swap participants that are banks are permitted to use financial models approved by the prudential regulators or the Securities and Exchange Commission to calculate minimum capital requirements and minimum initial and variation margin requirements, including the use of non-cash collateral, the Commission shall, in consultation with the prudential regulators and the Securities and Exchange Commission, permit the use of comparable financial models by swap dealers and major swap participants that are not banks.''.

(b) SECURITIES EXCHANGE ACT OF 1934.—Section 15F(e) of the Securities Exchange Act of 1934 (15 U.S.C. 78o-10(e)) is amended—

(1) in paragraph (2)(B), by striking ''shall'' and inserting the following: ''and the Commodity Futures Trading Commission, in consultation with the prudential regulators, shall jointly''; and

(2) in paragraph (3)(D)—

(A) in clause (ii), by striking ''shall, to the maximum extent practicable,'' and inserting ''shall''; and

(B) by adding at the end the following:

''(iii) FINANCIAL MODELS.—To the extent that security-based swap dealers and major security-based swap participants that are banks are permitted to use financial models approved by the prudential regulators or the Commodity Futures Trading Commission to calculate minimum capital requirements and minimum initial and variation margin requirements, including the use of non-cash collateral, the Commission shall, in consultation with the Commodity Futures Trading Commission, permit the use of comparable financial models by security-based swap dealers and major security-based swap participants that are not banks.''.

SEC. 312. HARMONIZATION WITH THE JUMPSTART OUR BUSINESS STARTUPS ACT.

Within 90 days after the date of the enactment of this Act, the Commodity Futures Trading Commission shall—

(1) revise section 4.7(b) of title 17, Code of Federal Regulations, in the matter preceding paragraph (1), to read as follows:

''(b) Relief available to commodity pool operators. Upon filing the notice required by paragraph (d) of this section, and subject to compliance with the conditions specified in paragraph

(d) of this section, any registered commodity pool operator who sells participations in a pool solely to qualified eligible persons in an offering which qualifies for exemption from the registration requirements of the Securities Act pursuant to section 4(2) of that Act or pursuant to Regulation S, 17 CFR 230.901 et seq., and any bank registered as a commodity pool operator in connection with a pool that is a collective trust fund whose securities are exempt from registration under the Securities Act pursuant to section 3(a)(2) of that Act and are sold solely to qualified eligible persons, may claim any or all of the following relief with respect to such pool:''; and

(2) revise section 4.13(a)(3)(i) of such title to read as follows:

''(i) Interests in the pool are exempt from registration under the Securities Act of 1933, and such interests are offered and sold pursuant to section 4 of the Securities Act of 1933 and the regulations thereunder;''.

SEC. 313. BONA FIDE HEDGE DEFINED TO PROTECT END-USER RISK MANAGEMENT NEEDS.

Section 4a(c) of the Commodity Exchange Act (7 U.S.C. 6a(c)) is amended—

(1) in paragraph (1)—

(A) by striking ''may'' and inserting ''shall''; and

(B) by striking ''future for which'' and inserting ''future, to be determined by the Commission, for which either an appropriate swap is available or'';

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''subsection (a)(2)'' and all that follows through ''position as'' and inserting ''paragraphs (2) and (5) of subsection (a) for swaps, contracts of sale for future delivery, or options on the contracts or commodities, a bona fide hedging transaction or position is''; and

(B) in subparagraph (A)(ii), by striking ''of risks'' and inserting ''or management of current or anticipated risks''; and

(3) by adding at the end the following:

''(3) The Commission may further define, by rule or regulation, what constitutes a bona fide hedging transaction, provided that the rule or regulation is consistent with the requirements of subparagraphs (A) and (B) of paragraph (2).''.

SEC. 314. CROSS-BORDER REGULATION OF DERIVATIVES TRANSACTIONS.

(a) RULEMAKING REQUIRED.—Within 1 year after the date of the enactment of this Act, the Commodity Futures Trading Commission shall issue a rule that addresses—

(1) the nature of the connections to the United States that require a non-U.S. person to register as a swap dealer or a major swap participant under the Commodity Exchange Act and the regulations issued under such Act;

(2) which of the United States swaps requirements apply to the swap activities of non-U.S. persons and U.S. persons and their branches, agencies, subsidiaries, and affiliates outside of the United States, and the extent to which the requirements apply; and

(3) the circumstances under which a U.S. person or non-U.S. person in compliance with the swaps regulatory requirements of a foreign jurisdiction shall be exempt from United States swaps requirements.

(b) CONTENT OF THE RULE.—

(1) CRITERIA.—In the rule, the Commission shall establish criteria for determining that 1 or more categories of the swaps regulatory requirements of a foreign jurisdiction are comparable to and as comprehensive as United States swaps requirements. The criteria shall include—

(A) the scope and objectives of the swaps regulatory requirements of the foreign jurisdiction;

(B) the effectiveness of the supervisory compliance program administered;

(C) the enforcement authority exercised by the foreign jurisdiction; and

(D) such other factors as the Commission, by rule, determines to be necessary or appropriate in the public interest.

(2) COMPARABILITY.—In the rule, the Commission shall—

(A) provide that any non-U.S. person or any transaction between two non-U.S. persons shall be exempt from United States swaps requirements if the person or transaction is in compliance with the swaps regulatory requirements of a foreign jurisdiction which the Commission has determined to be comparable to and as comprehensive as United States swaps requirements; and

(B) set forth the circumstances in which a U.S. person or a transaction between a U.S. person and a non-U.S. person shall be exempt from United States swaps requirements if the person or transaction is in compliance with the swaps regulatory requirements of a foreign jurisdiction which the Commission has determined to be comparable to and as comprehensive as United States swaps requirements.

(3) OUTCOMES-BASED COMPARISON.—In developing and applying the criteria, the Commission shall emphasize the results and outcomes of, rather than the design and construction of, foreign swaps regulatory requirements.

(4) RISK-BASED RULEMAKING.—In the rule, the Commission shall not take into account, for the purposes of determining the applicability of United States swaps requirements, the location of personnel that arrange, negotiate, or execute swaps.

(5) No part of any rulemaking under this section shall limit the Commission's antifraud or antimanipulation authority.

(c) APPLICATION OF THE RULE.—

(1) ASSESSMENTS OF FOREIGN JURISDICTIONS.—Beginning on the date on which a final rule is issued under this section, the Commission shall begin to assess the swaps regulatory requirements of foreign jurisdictions, in the order the Commission determines appropriate, in accordance with the criteria established pursuant to subsection (b)(1). Following each assessment, the Commission shall determine, by rule or by order, whether the swaps regulatory requirements of the foreign jurisdiction are comparable to and as comprehensive as United States swaps requirements.

(2) SUBSTITUTED COMPLIANCE FOR UNASSESSED MAJOR MARKETS.—Beginning 18 months after the date of enactment of this Act—

(A) the swaps regulatory requirements of each of the 8 foreign jurisdictions with the largest swaps markets, as calculated by notional value during the 12-month period ending with such date of enactment, except those with respect to which a determination has been made under paragraph (1), shall be considered to be comparable to and as comprehensive as United States swaps requirements; and

(B) a non-U.S. person or a transaction between 2 non-U.S. persons shall be exempt from United States swaps requirements if the person or transaction is in compliance with the swaps regulatory requirements of any of such unexcepted foreign jurisdictions.

(3) SUSPENSION OF SUBSTITUTED COMPLIANCE.—If the Commission determines, by rule or by order, that—

(A) the swaps regulatory requirements of a foreign jurisdiction are not comparable to and as comprehensive as United States swaps requirements, using the categories and criteria established under subsection (b)(1);

(B) the foreign jurisdiction does not exempt from its swaps regulatory requirements U.S. persons who are in compliance with United States swaps requirements; or

(C) the foreign jurisdiction is not providing equivalent recognition of, or substituted compliance for, registered entities (as defined in section 1a(41) of the Commodity Exchange Act) domiciled in the United States,

the Commission may suspend, in whole or in part, a determination made under paragraph (1) or a consideration granted under paragraph (2).

(d) PETITION FOR REVIEW OF FOREIGN JURISDICTION PRACTICES.—A registered entity, commercial market participant (as defined in section 1a(7) of the Commodity Exchange Act), or Commission registrant (within the meaning of such Act) who petitions the Commission to make or change a determination under subsection (c)(1) or (c)(3) of this section shall be entitled to expedited consideration of the petition. A petition shall include any evidence or other supporting materials to justify why the petitioner believes the Commission should make or change the determination. Petitions under this section shall be considered by the Commission any time following the enactment of this Act. Within 180 days after receipt of a petition for a rulemaking under this section, the Commission shall take final action on the petition. Within 90 days after receipt of a petition to issue an order or change an order issued under this section, the Commission shall take final action on the petition.

(e) REPORT TO CONGRESS.—If the Commission makes a determination described in this section through an order, the Commission shall articulate the basis for the determination in a written report published in the Federal Register and transmitted to the Committee on Agriculture of the House of Representatives and Committee on Agriculture, Nutrition, and Forestry of the Senate within 15 days of the determination. The determination shall not be effective until 15 days after the committees receive the report.

(f) DEFINITIONS.—As used in this Act and for purposes of the rules issued pursuant to this Act, the following definitions apply:

(1) U.S. PERSON.—The term ''U.S. person''—

(A) means—

(i) any natural person resident in the United States;

(ii) any partnership, corporation, trust, or other legal person organized or incorporated under the laws of the United States or having its principal place of business in the United States;

(iii) any account (whether discretionary or non-discretionary) of a U.S. person; and

(iv) any other person as the Commission may further define to more effectively carry out the purposes of this section; and

(B) does not include the International Monetary Fund, the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Asian Development Bank, the African Development Bank, the United Nations, their agencies or pension plans, or any other similar international organizations or their agencies or pension plans.

(2) UNITED STATES SWAPS REQUIREMENTS.—The term ''United States swaps requirements'' means the provisions relating to swaps contained in the Commodity Exchange Act (7 U.S.C. 1a et seq.) that were added by title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act (15 U.S.C. 8301 et seq.) and any rules or regulations prescribed by the Commodity Futures Trading Commission pursuant to such provisions.

(3) FOREIGN JURISDICTION.—The term ''foreign jurisdiction'' means any national or supranational political entity with common rules governing swaps transactions.

(4) SWAPS REGULATORY REQUIREMENTS.—The term ''swaps regulatory requirements'' means any provisions of law, and any rules or regulations pursuant to the provisions, governing swaps transactions or the counterparties to swaps transactions.

(g) CONFORMING AMENDMENT.—Section 4(c)(1)(A) of the Commodity Exchange Act (7 U.S.C. 6(c)(1)(A)) is amended by inserting ''or except as necessary to effectuate the purposes of the Commodity End-User Relief Act,'' after ''to grant exemptions,''.

SEC. 315. EXEMPTION OF QUALIFIED CHARITABLE ORGANIZATIONS FROM DESIGNATION AND REGULATION AS COMMODITY POOL OPERATORS.

(a) EXCLUSION FROM DEFINITION OF COMMODITY POOL.—Section 1a(10) of the Commodity

Exchange Act (7 U.S.C. 1a(10)) is amended by adding at the end the following:

''(C) EXCLUSION.—The term 'commodity pool' shall not include any investment trust, syndicate, or similar form of enterprise excluded from the definition of 'investment company' pursuant to sections 3(c)(10) or 3(c)(14) of the Investment Company Act of 1940.''.

(b) INAPPLICABILITY OF PROHIBITION ON USE OF INSTRUMENTALITIES OF INTERSTATE COMMERCE BY UNREGISTERED COMMODITY TRADING ADVISOR.—Section 4m of such Act (7 U.S.C. 6m) is amended—

(1) in paragraph (1), in the 2nd sentence, by inserting '': Provided further, That the provisions of this section shall not apply to any commodity trading advisor that is: (A) a charitable organization, as defined in section 3(c)(10)(D) of the Investment Company Act of 1940, or a trustee, director, officer, employee, or volunteer of such a charitable organization acting within the scope of the employment or duties of the person with the organization, whose trading advice is provided only to, or with respect to, 1 or more of the following: (i) any such charitable organization, or (ii) an investment trust, syndicate or similar form of enterprise excluded from the definition of 'investment company' pursuant to section 3(c)(10) of the Investment Company Act of 1940; or (B) any plan, company, or account described in section 3(c)(14) of the Investment Company Act of 1940, any person or entity who establishes or maintains such a plan, company, or account, or any trustee, director, officer, employee, or volunteer for any of the foregoing plans, persons, or entities acting within the scope of the employment or duties of the person with the organization, whose trading advice is provided only to, or with respect to, any investment trust, syndicate, or similar form of enterprise excluded from the definition of 'investment company' pursuant to section 3(c)(14) of the Investment Company Act of 1940'' before the period; and

(2) by adding at the end the following:

''(4) DISCLOSURE CONCERNING EXCLUDED CHARITABLE ORGANIZATIONS.—The operator of or advisor to any investment trust, syndicate, or similar form of enterprise excluded from the definition of 'commodity pool' by reason of section 1a(10)(C) of this Act pursuant to section 3(c)(10) of the Investment Company Act of 1940 shall provide disclosure in accordance with section 7(e) of the Investment Company Act of 1940.''.

SEC. 316. SMALL BANK HOLDING COMPANY CLEARING EXEMPTION.

Section 2(h)(7)(C) of the Commodity Exchange Act (7 U.S.C. 2(h)(7)(C)) is amended by adding at the end the following:

''(iv) HOLDING COMPANIES.—A determination made by the Commission under clause (ii) shall, with respect to small banks and savings associations, also apply to their respective bank holding company (as defined in section 2 of the Bank Holding Company Act of 1956), or savings and loan holding company (as defined in section 10 of the Home Owners' Loan Act of 1933)), if the total consolidated assets of the holding company are no greater than the asset threshold set by the Commission in determining small bank and savings association eligibility under clause (ii).''.

SEC. 317. CORE PRINCIPLE CERTAINTY.

Section 5h(f) of the Commodity Exchange Act (7 U.S.C. 7b–3(f)) is amended—

(1) in paragraph (1)(B), by inserting ''except as described in this subsection,'' after ''Commission by rule or regulation'';

(2) in paragraph (2), by amending subparagraph (D) to read as follows:

''(D) have reasonable discretion in establishing and enforcing its rules related to trade practice surveillance, market surveillance, real-time marketing monitoring, and audit trail given that a swap execution facility may offer a trading system or platform to execute or trade swaps through any means of interstate commerce. A swap execution facility shall be responsible for monitoring trading in swaps only on its own facility.'';

(3) in paragraph (4)(B), by adding at the end the following: ''A swap execution facility shall be responsible for monitoring trading in swaps only on its own facility.'';

(4) in paragraph (6)(B)—

(A) by striking ''shall—'' and all that follows through ''compliance with the'' and insert ''shall monitor the trading activity on its facility for compliance with any'';

(B) by striking ''or through''; and

(C) by adding at the end the following: ''A swap execution facility shall be responsible for monitoring positions only on its own facility.'';

(5) in paragraph (8), by striking ''to liquidate'' and all that follows and inserting ''to suspend or curtail trading in a swap on its own facility.'';

(6) in paragraph (13)(B), by striking ''1-year period, as calculated on a rolling basis'' and inserting ''90-day period, as calculated on a rolling basis, or conduct an orderly wind-down of its operations, whichever is greater''; and

(7) in paragraph (15)—

(A) in subparagraph (A), by adding at the end the following: ''The individual may also perform other responsibilities for the swap execution facility.'';

(B) in subparagraph (B)—

(i) in clause (i), by inserting '', a committee of the board,'' after ''directly to the board'';

(ii) by striking clauses (iii) through (v) and inserting the following:

''(iii) establish and administer policies and procedures that are reasonably designed to resolve any conflicts of interest that may arise;

''(iv) establish and administer policies and procedures that reasonably ensure compliance with this Act and the rules and regulations issued under this Act, including rules prescribed by the Commission pursuant to this section; and''; and

(iii) by redesignating clause (vi) as clause (v);

(C) in subparagraph (C), by striking ''(B)(vi)'' and inserting ''(B)(v)''; and

(D) in subparagraph (D)—

(i) in clause (i)—

(I) by striking ''In accordance with rules prescribed by the Commission, the'' and inserting ''The''; and

(II) by striking ''and sign''; and

(ii) in clause (ii)—

(I) in the matter preceding subclause (I), by inserting ''or senior officer'' after ''officer'';

(II) by amending subclause (I) to read as follows:

''(I) submit each report described in clause (i) to the Commission; and''; and

(III) in subclause (II), by inserting ''materially'' before ''accurate''.

SEC. 318. TREATMENT OF FEDERAL HOME LOAN BANK PRODUCTS.

(a) Section 1a(2) of the Commodity Exchange Act (7 U.S.C. 1a(2)) is amended—

(1) in subparagraph (B), by striking ''and'';

(2) in subparagraph (C), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(D) is the Federal Housing Finance Agency for any Federal Home Loan Bank (as defined in section 2 of the Federal Home Loan Bank Act).''.

(b) Section 402(a) of the Legal Certainty for Bank Products Act of 2000 (7 U.S.C. 27(a)) is amended—

(1) by striking ''or'' at the end of paragraph (6);

(2) by striking the period at the end of paragraph (7) and inserting ''; or''; and

(3) by adding at the end the following:

''(8) any Federal Home Loan Bank (as defined in section 2 of the Federal Home Loan Bank Act).''.

SEC. 319. TREATMENT OF CERTAIN FUNDS.

(a) AMENDMENT TO THE DEFINITION OF COMMODITY POOL OPERATOR.—Section 1a(11) of the Commodity Exchange Act (7 U.S.C. 1a(11)) is amended by adding at the end the following:

''(C)(i) The term 'commodity pool operator' does not include a person who serves as an investment adviser to an investment company registered pursuant to section 8 of the Investment Company Act of 1940 or a subsidiary of such a company, if the investment company or subsidiary invests, reinvests, owns, holds, or trades in commodity interests limited to only financial commodity interests.

''(ii) For purposes of this subparagraph only, the term 'financial commodity interest' means a futures contract, an option on a futures contract, or a swap, involving a commodity that is not an exempt commodity or an agricultural commodity, including any index of financial commodity interests, whether cash settled or involving physical delivery.

''(iii) For purposes of this subparagraph only, the term 'commodity' does not include a security issued by a real estate investment trust, business development company, or issuer of asset-backed securities, including any index of such securities.''.

(b) AMENDMENT TO THE DEFINITION OF COMMODITY TRADING ADVISOR.—Section 1a(12) of such Act (7 U.S.C. 1a(12)) is amended by adding at the end the following:

''(E) The term 'commodity trading advisor' does not include a person who serves as an investment adviser to an investment company registered pursuant to section 8 of the Investment Company Act of 1940 or a subsidiary of such a company, if the commodity trading advice relates only to a financial commodity interest, as defined in paragraph (11)(C)(ii) of this section. For purposes of this subparagraph only, the term 'commodity' does not include a security issued by a real estate investment trust, business development company, or issuer of asset-backed securities, including any index of such securities.''.

TITLE IV—TECHNICAL CORRECTIONS

SEC. 401. CORRECTION OF REFERENCES.

(a) Section 2(h)(8)(A)(ii) of the Commodity Exchange Act (7 U.S.C. 2(h)(8)(A)(ii)) is amended by striking ''5h(f) of this Act'' and inserting ''5h(g)''.

(b) Section 5c(c)(5)(C)(i) of such Act (7 U.S.C. 7a-2(c)(5)(C)(i)) is amended by striking ''1a(2)(i))'' and inserting ''1a(19)(i))''.

(c) Section 23(f) of such Act (7 U.S.C. 26(f)) is amended by striking ''section 7064'' and inserting ''section 706''.

SEC. 402. ELIMINATION OF OBSOLETE REFERENCES TO DEALER OPTIONS.

(a) IN GENERAL.—Section 4c of the Commodity Exchange Act (7 U.S.C. 6c) is amended by striking subsections (d) and (e) and redesignating subsections (f) and (g) as subsections (d) and (e), respectively.

(b) CONFORMING AMENDMENTS.—

(1) Section 2(d) of such Act (7 U.S.C. 2(d)) is amended by striking ''(g) of'' and inserting ''(e) of''.

(2) Section 4f(a)(4)(A)(i) of such Act (7 U.S.C. 6f(a)(4)(A)(i)) is amended by striking ''(d), (e), and (g)'' and inserting ''and (e)''.

(3) Section 4k(5)(A) of such Act (7 U.S.C. 6k(5)(A)) is amended by striking ''(d), (e), and (g)'' and inserting ''and (e)''.

(4) Section 5f(b)(1)(A) of such Act (7 U.S.C. 7b-1(b)(1)(A)) is amended by striking '', (e) and (g)'' and inserting ''and (e)''.

(5) Section 9(a)(2) of such Act (7 U.S.C. 13(a)(2)) is amended by striking ''through (e)'' and inserting ''and (c)''.

SEC. 403. UPDATED TRADE DATA PUBLICATION REQUIREMENT.

Section 4g(e) of the Commodity Exchange Act (7 U.S.C. 6g(e)) is amended by striking ''exchange'' and inserting ''each designated contract market and swap execution facility''.

SEC. 404. FLEXIBILITY FOR REGISTERED ENTITIES.

Section 5c(b) of the Commodity Exchange Act (7 U.S.C. 7a-2(b)) is amended by striking ''contract market, derivatives transaction execution

facility, or electronic trading facility'' each place it appears and inserting ''registered entity''.

SEC. 405. ELIMINATION OF OBSOLETE REFERENCES TO ELECTRONIC TRADING FACILITIES.

(a) Section 1a(18)(A)(x) of the Commodity Exchange Act (7 U.S.C. 1a(18)(A)(x)) is amended by striking ''(other than an electronic trading facility with respect to a significant price discovery contract)''.

(b) Section 1a(40) of such Act (7 U.S.C. 1a(40)) is amended—

(1) by adding ''and'' at the end of subparagraph (D); and

(2) by striking all that follows ''section 21'' and inserting a period.

(c) Section 4a(e) of such Act (7 U.S.C. 6a(e)) is amended—

(1) in the 1st sentence—

(A) by striking ''or by any electronic trading facility'';

(B) by striking ''or on an electronic trading facility''; and

(C) by striking ''or electronic trading facility'' each place it appears; and

(2) in the 2nd sentence, by striking ''or electronic trading facility with respect to a significant price discovery contract''.

(d) Section 4g(a) of such Act (7 U.S.C. 6g(a)) is amended by striking ''any significant price discovery contract traded or executed on an electronic trading facility or''.

(e) Section 4i(a) of such Act (7 U.S.C. 6i(a)) is amended—

(1) by striking '', or any significant price discovery contract traded or executed on an electronic trading facility or any agreement, contract, or transaction that is treated by a derivatives clearing organization, whether registered or not registered, as fungible with a significant price discovery contract''; and

(2) by striking ''or electronic trading facility''

(f) Section 6(b) of such Act (7 U.S.C. 8(b)) is amended by striking ''or electronic trading facility'' each place it appears.

(g) Section 12(e)(2) of such Act (7 U.S.C. 16(e)(2)) is amended by striking ''in the case of—'' and all that follows and inserting ''in the case of an agreement, contract, or transaction that is excluded from this Act under section 2(c) or 2(f) of this Act or title IV of the Commodity Futures Modernization Act of 2000, or exempted under section 4(c) of this Act (regardless of whether any such agreement, contract, or transaction is otherwise subject to this Act).''.

SEC. 406. ELIMINATION OF OBSOLETE REFERENCE TO ALTERNATIVE SWAP EXECUTION FACILITIES.

Section 5h(h) of the Commodity Exchange Act (7 U.S.C. 7b-3(h)) is amended by striking ''alternative'' before ''swap''.

SEC. 407. ELIMINATION OF REDUNDANT REFERENCES TO TYPES OF REGISTERED ENTITIES.

Section 6b of the Commodity Exchange Act (7 U.S.C. 13a) is amended in the 1st sentence by striking ''as set forth in sections 5 through 5c''.

SEC. 408. CLARIFICATION OF COMMISSION AUTHORITY OVER SWAPS TRADING.

Section 8a of the Commodity Exchange Act (7 U.S.C. 12a) is amended—

(1) in paragraph (7)—

(A) by inserting ''the protection of swaps traders and to assure fair dealing in swaps, for'' after ''appropriate for'';

(B) in subparagraph (A), by inserting ''swaps or'' after ''conditions in''; and

(C) in subparagraph (B), by inserting ''or swaps'' after ''future delivery''; and

(2) in paragraph (9)—

(A) by inserting ''swap or'' after ''or liquidation of any''; and

(B) by inserting ''swap or'' after ''margin levels on any''.

SEC. 409. ELIMINATION OF OBSOLETE REFERENCE TO THE COMMODITY EXCHANGE COMMISSION.

Section 13(c) of the Commodity Exchange Act (7 U.S.C. 13c(c)) is amended by striking ''or the Commission''.

SEC. 410. ELIMINATION OF OBSOLETE REFERENCES TO DERIVATIVE TRANSACTION EXECUTION FACILITIES.

(a) Section 1a(12)(B)(vi) of the Commodity Exchange Act (7 U.S.C. 1a(12)(B)(vi)) is amended by striking ''derivatives transaction execution facility'' and inserting ''swap execution facility''.

(b) Section 1a(34) of such Act (7 U.S.C. 1a(34)) is amended by striking ''or derivatives transaction execution facility'' each place it appears.

(c) Section 1a(35)(B)(iii)(I) of such Act (7 U.S.C. 1a(35)(B)(iii)(I)) is amended by striking ''or registered derivatives transaction execution facility''.

(d) Section 2(a)(1)(C)(ii) of such Act (7 U.S.C. 2(a)(1)(C)(ii)) is amended—

(1) by striking '', or register a derivatives transaction execution facility that trades or executes,'';

(2) by striking '', and no derivatives transaction execution facility shall trade or execute such contracts of sale (or options on such contracts) for future delivery''; and

(3) by striking ''or the derivatives transaction execution facility,''.

(e) Section 2(a)(1)(C)(v)(I) of such Act (7 U.S.C. 2(a)(1)(C)(v)(I)) is amended by striking '', or any derivatives transaction execution facility on which such contract or option is traded,''.

(f) Section 2(a)(1)(C)(v)(II) of such Act (7 U.S.C. 2(a)(1)(C)(v)(II)) is amended by striking ''or derivatives transaction execution facility'' each place it appears.

(g) Section 2(a)(1)(C)(v)(V) of such Act (7 U.S.C. 2(a)(1)(C)(v)(V)) is amended by striking ''or registered derivatives transaction execution facility''.

(h) Section 2(a)(1)(D)(i) of such Act (7 U.S.C. 2(a)(1)(D)(i)) is amended in the matter preceding subclause (I)—

(1) by striking ''in, or register a derivatives transaction execution facility''; and

(2) by striking '', or registered as a derivatives transaction execution facility for,''.

(i) Section 2(a)(1)(D)(i)(IV) of such Act (7 U.S.C. 2(a)(1)(D)(i)(IV)) is amended by striking ''registered derivatives transaction execution facility,'' each place it appears.

(j) Section 2(a)(1)(D)(ii)(I) of such Act (7 U.S.C. 2(a)(1)(D)(ii)(I)) is amended to read as follows:

''(I) the transaction is conducted on or subject to the rules of a board of trade that has been designated by the Commission as a contract market in such security futures product; or''.

(k) Section 2(a)(1)(D)(ii)(II) of such Act (7 U.S.C. 2(a)(1)(D)(ii)(II)) is amended by striking ''or registered derivatives transaction execution facility''.

(l) Section 2(a)(1)(D)(ii)(III) of such Act (7 U.S.C. 2(a)(1)(D)(ii)(III)) is amended by striking ''or registered derivatives transaction execution facility member''.

(m) Section 2(a)(9)(B)(ii) of such Act (7 U.S.C. 2(a)(9)(B)(ii)) is amended—

(1) by striking ''or registration'' each place it appears;

(2) by striking ''or derivatives transaction execution facility'' each place it appears;

(3) by striking ''or register'';

(4) by striking ''registering,'';

(5) by striking ''or registering,'' each place it appears; and

(6) by striking ''registration,''.

(n) Section 2(c)(2) of such Act (7 U.S.C. 2(c)(2)) is amended by striking ''or a derivatives transaction execution facility'' each place it appears.

(o) Section 4(a)(1) of such Act (7 U.S.C. 6(a)(1)) is amended by striking ''or derivatives transaction execution facility'' each place it appears.

(p) Section 4(c)(1) of such Act (7 U.S.C. 6(c)(1)) is amended—

(1) by striking ''or registered'' after ''designated''; and

(2) by striking ''or derivative transaction execution facility''.

(q) Section 4a(a)(1) of such Act (7 U.S.C. 6a(a)(1)) is amended by striking ''or derivatives transaction execution facilities'' each place it appears.

(r) Section 4a(e) of such Act (7 U.S.C. 6a(e)) is amended—

(1) by striking '', derivatives transaction execution facility,'' each place it appears; and

(2) by striking ''or derivatives transaction execution facility''.

(s) Section 4c(g) of such Act (7 U.S.C. 6c(g)) is amended by striking ''or derivatives transaction execution facility'' each place it appears.

(t) Section 4d of such Act (7 U.S.C. 6d) is amended by striking ''or derivatives transaction execution facility'' each place it appears.

(u) Section 4e of such Act (7 U.S.C. 6e) is amended by striking ''or derivatives transaction execution facility''.

(v) Section 4f(b) of such Act (7 U.S.C. 6f(b)) is amended by striking ''or derivatives transaction execution facility'' each place it appears.

(w) Section 4i of such Act (7 U.S.C. 6i) is amended by striking ''or derivatives transaction execution facility''.

(x) Section 4j(a) of such Act (7 U.S.C. 6j(a)) is amended by striking ''and registered derivatives transaction execution facility''.

(y) Section 4p(a) of such Act (7 U.S.C. 6p(a)) is amended by striking '', or derivatives transaction execution facilities''.

(z) Section 4p(b) of such Act (7 U.S.C. 6p(b)) is amended by striking ''derivatives transaction execution facility,''.

(aa) Section 5c(f) of such Act (7 U.S.C. 7a-2(f)) is amended by striking ''and registered derivatives transaction execution facility''.

(bb) Section 5c(f)(1) of such Act (7 U.S.C. 7a-2(f)(1)) is amended by striking ''or registered derivatives transaction execution facility''.

(cc) Section 6 of such Act (7 U.S.C. 8) is amended—

(1) by striking ''or registered'';

(2) by striking ''or derivatives transaction execution facility'' each place it appears; and

(3) by striking ''or registration'' each place it appears.

(dd) Section 6a(a) of such Act (7 U.S.C. 10a(a)) is amended—

(1) by striking ''or registered'';

(2) by striking ''or a derivatives transaction execution facility''; and

(3) by inserting ''shall'' before ''exclude''.

(ee) Section 6a(b) of such Act (7 U.S.C. 10a(b)) is amended—

(1) by striking ''or registered''; and

(2) by striking ''or a derivatives transaction execution facility''.

(ff) Section 6d(1) of such Act (7 U.S.C. 13a-2(1)) is amended by striking ''derivatives transaction execution facility,''.

SEC. 411. ELIMINATION OF OBSOLETE REFERENCES TO EXEMPT BOARDS OF TRADE.

(a) Section 1a(18)(A)(x) of the Commodity Exchange Act (7 U.S.C. 1a(18)(A)(x)) is amended by striking ''or an exempt board of trade''.

(b) Section 12(e)(1)(B)(i) of such Act (7 U.S.C. 16(e)(1)(B)(i)) is amended by striking ''or exempt board of trade''.

SEC. 412. ELIMINATION OF REPORT DUE IN 1986.

Section 26 of the Futures Trading Act of 1978 (7 U.S.C. 16a) is amended by striking subsection (b) and redesignating subsection (c) as subsection (b).

SEC. 413. COMPLIANCE REPORT FLEXIBILITY.

Section 4s(k)(3)(B) of the Commodity Exchange Act (7 U.S.C. 6s(k)(3)(B)) is amended to read as follows:

''(B) REQUIREMENTS.—A compliance report under subparagraph (A) shall—

''(i) include a certification that, under penalty of law, the compliance report is materially accurate and complete; and

''(ii) be furnished at such time as the Commission determines by rule, regulation, or order, to be appropriate.''.

SEC. 414. MISCELLANEOUS CORRECTIONS.

(a) Section 1a(12)(A)(i)(II) of the Commodity Exchange Act (7 U.S.C. 1a(12)(A)(i)(II)) is amended by adding at the end a semicolon.

(b) Section 2(a)(1)(C)(ii)(III) of such Act (7 U.S.C. 2(a)(1)(C)(ii)(III)) is amended by moving the provision 2 ems to the right.

(c) Section 2(a)(1)(C)(iii) of such Act (7 U.S.C. 2(a)(1)(C)(iii)) is amended by moving the provision 2 ems to the right.

(d) Section 2(a)(1)(C)(iv) of such Act (7 U.S.C. 2(a)(1)(C)(iv)) is amended by striking ''under or'' and inserting ''under''.

(e) Section 2(a)(1)(C)(v) of such Act (7 U.S.C. 2(a)(1)(C)(v)) is amended by moving the provision 2 ems to the right.

(f) Section 2(a)(1)(C)(v)(VI) of such Act (7 U.S.C. 2(a)(1)(C)(v)(VI)) is amended by striking ''III'' and inserting ''(III)''.

(g) Section 2(c)(1) of such Act (7 U.S.C. 2(c)(1)) is amended by striking the 2nd comma.

(h) Section 4(c)(3)(H) of such Act (7 U.S.C. 6(c)(3)(H)) is amended by striking ''state'' and inserting ''State''.

(i) Section 4c(c) of such Act (7 U.S.C. 6c(c)) is amended to read as follows:

''(c) The Commission shall issue regulations to continue to permit the trading of options on contract markets under such terms and conditions that the Commission from time to time may prescribe.''.

(j) Section 4d(b) of such Act (7 U.S.C. 6d(b)) is amended by striking ''paragraph (2) of this section'' and inserting ''subsection (a)(2)''.

(k) Section 4f(c)(3)(A) of such Act (7 U.S.C. 6f(c)(3)(A)) is amended by striking the 1st comma.

(l) Section 4f(c)(4)(A) of such Act (7 U.S.C. 6f(c)(4)(A)) is amended by striking ''in developing'' and inserting ''In developing''.

(m) Section 4f(c)(4)(B) of such Act (7 U.S.C. 6f(c)(4)(B)) is amended by striking ''1817(a)'' and inserting ''1817(a))''.

(n) Section 5 of such Act (7 U.S.C. 7) is amended by redesignating subsections (c) through (e) as subsections (b) through (d), respectively.

(o) Section 5b of such Act (7 U.S.C. 7a-1) is amended by redesignating subsection (k) as subsection (j).

(p) Section 5f(b)(1) of such Act (7 U.S.C. 7b-1(b)(1)) is amended by striking ''section 5f'' and inserting ''this section''.

(q) Section 6(a) of such Act (7 U.S.C. 8(a)) is amended by striking ''the the'' and inserting ''the''.

(r) Section 8a of such Act (7 U.S.C. 12a) is amended in each of paragraphs (1)(E) and (3)(B) by striking ''Investors'' and inserting ''Investor''.

(s) Section 9(a)(2) of such Act (7 U.S.C. 13(a)(2)) is amended by striking ''subsection 4c'' and inserting ''section 4c''.

(t) Section 12(b)(4) of such Act (7 U.S.C. 16(b)(4)) is amended by moving the provision 2 ems to the left.

(u) Section 14(a)(2) of such Act (7 U.S.C. 18(a)(2)) is amended by moving the provision 2 ems to the left.

(v) Section 17(b)(9)(D) of such Act (7 U.S.C. 21(b)(9)(D)) is amended by striking the semicolon and inserting a period.

(w) Section 17(b)(10)(C)(ii) of such Act (7 U.S.C. 21(b)(10)(C)(ii)) is amended by striking ''and'' at the end.

(x) Section 17(b)(11) of such Act (7 U.S.C. 21(b)(11)) is amended by striking the period and inserting a semicolon.

(y) Section 17(b)(12) of such Act (7 U.S.C. 21(b)(12)) is amended—

(1) by striking ''(A)''; and

(2) by striking the period and inserting ''; and''.

(z) Section 17(b)(13) of such Act (7 U.S.C. 21(b)(13)) is amended by striking ''A'' and inserting ''a''.

(aa) Section 17 of such Act (7 U.S.C. 21) is amended by redesignating subsection (q), as added by section 233(5) of Public Law 97–444, and subsection (r) as subsections (r) and (s), respectively.

(bb) Section 22(b)(3) of such Act (7 U.S.C. 25(b)(3)) is amended by striking ''of registered'' and inserting ''of a registered''.

(cc) Section 22(b)(4) of such Act (7 U.S.C. 25(b)(4)) is amended by inserting a comma after ''entity''.

The CHAIR. No amendment to the amendment in the nature of a substitute shall be in order except those printed in House Report 114–136. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. CONAWAY

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 114–136.

Mr. CONAWAY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 7, strike ''(s)'' and insert ''(t)''.

Page 4, line 15, strike ''(t)'' and insert ''(u)''.

Page 6, line 9, strike ''(u)'' and insert ''(v)''.

Page 6, line 16, strike ''(v)'' and insert ''(w)''.

Page 7, line 4, strike ''(w)'' and insert ''(x)''.

Page 12, line 10, strike ''(17)'' and insert ''(16)''.

Page 13, line 6, strike ''(17)'' and insert ''(16)''.

Page 14, line 8, strike ''(18)'' and insert ''(17)''.

Page 30, line 18, strike ''or''.

Page 33, line 12, strike ''(8)'' and insert ''(7)''.

Page 33, line 13, strike ''(9)'' and insert ''(8)''.

Page 38, line 8, strike ''1a(47)(B)(ii)'' and insert ''1a(48)(B)(ii)''.

Page 38, line 9, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 38, line 21, strike ''1a(49)(D)'' and insert ''1a(50)(D)''.

Page 38, line 22, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 52, line 15, strike ''1a(10)'' and insert ''1a(11)''.

Page 52, line 16, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 55, line 13, strike ''subsection,'' and insert ''subsection''.

Page 56, line 11, insert ''and'' after the semicolon.

Page 56, strike line 12.

Page 56, line 13, strike ''(C)'' and insert ''(B)''.

Page 59, line 16, strike ''1a(11)'' and insert ''1a(12)''.

Page 59, line 17, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 60, line 18, strike ''1a(12)'' and insert ''1a(13)''.

Page 60, line 19, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,'' after ''(7 U.S.C. 1a(12))''.

Page 61, line 3, strike ''(11)(C)(ii)'' and insert ''(12)(C)(ii)''.

Page 62, line 7, strike ''(d),'' and insert '', (d),''.

Page 62, line 10, strike ''(d),'' and insert '', (d),''.

Page 62, line 13, strike ''(e)'' and insert ''(e),''.

Page 63, line 9, strike ''1a(18)(A)(x)'' and insert ''1a(19)(A)(x)''.

Page 63, line 10, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 63, line 13, strike ''1a(40)'' and insert ''1a(41)''.

Page 63, line 14, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 64, line 10, strike ''4i(a)'' and insert ''4i''.

Page 64, line 10, strike ''6i(a)'' and insert ''6i''.

Page 66, line 18, strike ''1a(12)(B)(vi)'' and insert ''1a(13)(B)(vi)''.

Page 66, line 19, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 66, line 22, strike ''1a(34)'' and insert ''1a(35)''.

Page 66, line 22, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 67, line 1, strike ''1a(35)(B)(iii)(I)'' and insert ''1a(36)(B)(iii)(I)''.

Page 67, line 2, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 69, strike lines 6 through 9 and insert the following:

(4) by striking '', registering,''; and

(5) by striking ''registration,''.

Page 69, line 12, strike ''each place it appears''.

Page 69, line 20, strike ''derivative'' and insert ''derivatives''.

Page 69, strike lines 22 through 24 and insert the following:

(q) Section 4a(a)(1) of such Act (7 U.S.C. 6a(a)(1)) is amended—

(1) by striking ''or derivatives transaction execution facilities''; and

(2) by striking ''or derivatives transaction execution facility''.

Page 70, line 7, strike ''4c(g)'' and insert ''4c(e)''.

Page 70, line 7, after the parenthetical phrase, insert '', as so redesignated by section 402(a) of this Act,''.

Page 71, line 21, strike ''before 'exclude'.'' and insert ''before 'exclude' the first place it appears.''.

Page 72, line 8, strike ''1a(18)(A)(x)'' and insert ''1a(19)(A)(x)''.

Page 72, line 9, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 73, line 5, strike ''1a(12)(A)(i)(II)'' and insert ''1a(13)(A)(i)(II)''.

Page 73, line 6, after the parenthetical phrase, insert '', as so redesignated by section 306(b)(1) of this Act,''.

Page 75, line 7, strike ''(1)(E)'' and insert ''(2)(E)''.

Page 76, line 6, after the parenthetical phrase, insert '', as amended by sections 101 through 103 of this Act,''.

Page 76, beginning on line 8, strike ''subsection (r) as subsections (r) and (s)'' and insert ''subsections (s) through (w) as subsections (r) through (x)''.

The CHAIR. Pursuant to House Resolution 288, the gentleman from Texas (Mr. CONAWAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CONAWAY. Mr. Chairman, this amendment corrects the technical errors found by legislative counsel in the

process of preparing the Ramseyer for the reported bill, including section, subsection, and paragraph references, punctuation, and pluralization. I urge my colleagues to support this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CONAWAY).

The amendment was agreed to.

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 114–136.

It is now in order to consider amendment No. 3 printed in House Report 114–136.

□ 1615

AMENDMENT NO. 4 OFFERED BY MS. MOORE

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 114–136.

Ms. MOORE. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 27, strike line 4 and all that follows through page 28, line 2, and insert the following:

(b) SWAP DATA REPOSITORIES.—Section 21 of such Act (7 U.S.C. 24a) is amended—

(1) in subsection (c)(7)—

(A) in the matter preceding subparagraph (A), by striking ''all'' and inserting ''swap''; and

(B) in subparagraph (E)—

(i) in clause (ii), by striking ''and'' at the end; and

(ii) by adding at the end the following:

''(iv) other foreign authorities; and''; and

(2) by striking subsection (d) and inserting the following:

''(d) CONFIDENTIALITY AGREEMENT.—Before the swap data repository may share information with any entity described in subsection (c)(7), the swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 8 relating to the information on swap transactions that is provided.''.

(c) SECURITY-BASED SWAP DATA REPOSITORIES.—Section 13(n)(5) of the Securities Exchange Act of 1934 25 (15 U.S.C. 78m(n)(5)) is amended—

(1) in subparagraph (G)—

(A) in the matter preceding clause (i), by striking ''all'' and inserting ''security-based swap''; and

(B) in subclause (v)—

(i) in subclause (II), by striking ''; and'' and inserting a semicolon;

(ii) in subclause (III), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(IV) other foreign authorities.''; and

(2) by striking subparagraph (H) and inserting the following:

''(H) CONFIDENTIALITY AGREEMENT.—Before the security-based swap data repository may share information with any entity described in subparagraph (G), the security-based swap data repository shall receive a written agreement from each entity stating that the entity shall abide by the confidentiality requirements described in section 24 relating to the information on security-based swap transactions that is provided.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if enacted on July 21, 2010.

The CHAIR. Pursuant to House Resolution 288, the gentlewoman from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE. Mr. Chair, my amendment is simple. It really seeks to harmonize the regulatory regime for both the security- and commodity-based swaps. I am so pleased to be joined on a bipartisan basis with Representatives RICK CRAWFORD, BILL HUIZENGA, and SEAN PATRICK MALONEY in offering this amendment.

As we all know, Mr. Chairman, the regulation of the swaps market is under the jurisdiction of both the Securities and Exchange Commission and the Commodity Futures Trading Commission. As such, legislation that amends the swap regulation must be addressed in both the securities law and the Commodity Exchange Act.

Mr. Chairman, I have worked with Chairman HENSARLING, Ranking Member WATERS, and the Committee on Financial Services, and we have offered the same language to amend the securities law section of a bill. This amendment in committee, Mr. Chairman, was adopted by a voice vote.

This amendment makes the same minor change to the Commodity Exchange Act section so that the regulatory regime is the same for both security- and commodity-based swaps.

This section of H.R. 2289 mirrors legislation, H.R. 1847, sponsored by Representative CRAWFORD and has enjoyed broad bipartisan support and passed both the Committee on Financial Services and Committee on Agriculture without controversy and with the support and blessing of the SEC.

So why the amendment? Foreign regulators and some industry participants reached out to the SEC seeking to tighten the language to narrow the requirement to share data to clarify that swap data repositories are only required to share data related to the swap trade.

The amendment will in no way weaken swap regulation or inhibit the aggregation of swap data; rather, the amendment will make a narrow modification to protect market participant information. This change is supported by both industry and the SEC.

This bill has global impact on swap participants and regulators, so I think it is important to get it right. I applaud the SEC for working with industry to refine the bill, and I want to thank the chairman and ranking members of both the Committee on Financial Services and the Committee on Agriculture for working with me on this amendment and to the sponsor and cosponsors of this legislation for also working with me for their support on this amendment.

I do have some concerns about the underlying bill. The cost-benefit analysis, I think, will hamper the regulatory ability of the CFTC, but I do urge the adoption of this amendment.

I reserve the balance of my time.

Mr. CRAWFORD. Mr. Chairman, I claim time in opposition, although I do not oppose the amendment.

The CHAIR. Without objection, the gentleman from Arkansas is recognized for 5 minutes.

There was no objection.

Mr. CRAWFORD. Mr. Chair, I would like to thank the cosponsors of this amendment. I would like to thank the gentlewoman from Wisconsin for introducing the amendment and the cosponsors—Ms. MOORE, Mr. HUIZENGA, Mr. MALONEY—for joining me in efforts to help bring transparency to the global swap markets.

While I may not agree with every position in the Dodd-Frank law, today, I believe we are working towards its bipartisan goal of giving regulators the tools they need to improve systemic risk mitigation in global financial markets.

I think everyone agrees that the lack of transparency into the over-the-counter derivatives market escalated the financial crisis of 2008. In order to provide market transparency, the Dodd-Frank law requires posttrade reporting to swap data repositories, or SDRs, so that regulators and market participants have access to real-time market data that will help identify systemic risk in the financial system.

So far, we have made great strides in reaching this goal, but unfortunately, a provision in the law threatens to undermine our progress unless we fix it.

Currently, Dodd-Frank includes a provision requiring a foreign regulator to indemnify a U.S.-based SDR for any expenses arising from litigation relating to a request for market data. Although well intentioned, the effect has been a reluctance of foreign regulators to comply, which threatens to fragment global data on swap markets and making it harder for regulators to see a complete picture of the marketplace.

Without effective coordination between international regulators and SDRs, monitoring and mitigating global systemic risk is severely limited. H.R. 2289 includes a bipartisan provision that removes the indemnification provisions in Dodd-Frank.

This provision received broad bipartisan support when it came to the floor as a stand-alone last year, passing the House by a vote of 420–2. Additionally, both the CFTC and the SEC support the fix.

This amendment makes a small technical change to make clear that only swap data can be shared with foreign regulators. It will ensure that regulators will have access to a global set of swap market data, which is essential to maintaining the highest degree of market transparency and systemic risk mitigation.

Again, I thank the gentlewoman for introducing the amendment.

I reserve the balance of my time.

Ms. MOORE. Mr. Chair, how much time do I have remaining?

The CHAIR. The gentlewoman from Wisconsin has 2 minutes remaining.

Ms. MOORE. Mr. Chair, I yield the balance of my time to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chair, I thank the gentlewoman from Wisconsin (Ms. MOORE), and I rise in full support of her amendment, but I join Ranking Member PETERSON in his opposition of the bill before us.

Although reauthorization of the Commodity Exchange Act is an important endeavor, this legislation rolls back critical Dodd-Frank reforms and places unnecessary restrictions on the Commodity Futures Trading Commission. The changes proposed in this underlying bill would stifle the Commission's capacities to respond to a rapidly changing market and would add unneeded layers of government bureaucracy.

The underlying bill, H.R. 2289, threatens the financial stability of hard-working Americans by encouraging the same type of risky behavior that led to the recession just 7 years ago.

I urge my colleagues to join me in supporting the Moore amendment. However, I urge my colleagues to use great caution and join me in voting against the underlying bill.

Ms. MOORE. Mr. Chair, I yield back the balance of my time.

Mr. CRAWFORD. I yield 1 minute to the gentleman from Texas (Mr. CONAWAY), the distinguished chairman of the full committee.

Mr. CONAWAY. Mr. Chair, I don't oppose the amendment. It does improve the bill. We appreciate that. I am looking forward to supporting the amendment. I would also expect support on the underlying bill itself.

We have had a good discussion on why this bill is the right answer, bringing the right relief to the right people at the right time and does not do the things that have been spoken of in terms of rolling back Dodd-Frank.

This is a very light touch on Dodd-Frank, and it improves a bill that I don't think anybody would argue is perfect, but maybe they do argue that Dodd-Frank is perfect. I don't think it is perfect, and it does need these light touches.

Mr. CRAWFORD. Mr. Chair, I thank the chairman. I would urge adoption of the amendment, as well as support of the underlying bill.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MRS. WALORSKI

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 114–136.

Mrs. WALORSKI. Mr. Chairman, I have an amendment made in order by the rule.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 24, line 2, strike ''and''.

Page 24, line 4, strike the period and insert ''; and''.

Page 24, after line 4, insert the following:

(3) the status of consultations with all United States market participants including major producers and consumers.

The CHAIR. Pursuant to House Resolution 288, the gentlewoman from Indiana (Mrs. WALORSKI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Indiana.

Mrs. WALORSKI. Mr. Chairman, I would like to thank Congressman GOODLATTE and Chairman CONAWAY for their continued leadership in support of my amendment.

My amendment today would encourage the CFTC to keep both U.S. producers and users of aluminum firmly in mind as they proceed in their work. We might take it for granted, but aluminum is part of our everyday life. It is used in everything from food packaging to commercial buildings and homes to automotive and air transportation.

In my home State of Indiana, aluminum is home to 10,000 industry jobs that account for over $5 billion in economic activity every year. About 1,800 of those workers are employed at an integrated facility in southern Indiana that boasts the largest operating smelter in the United States and is one of eight still in use in the country.

My amendment would require the CFTC provide this body with an update of the status of its consultations with U.S. producers and consumers of aluminum. To better protect the thousands of workers in my district and businesses and consumers across the country, we must ensure the CFTC is operating in a transparent manner where the rules are designed to help fair and open price discovery.

It is imperative that everyone who participates in the physical aluminum market have confidence in the system, and my amendment will ensure the protection of our workers, businesses, and consumers.

I ask my colleagues to join me in support of my amendment.

I reserve the balance of my time.

The CHAIR. Does any Member claim time in opposition? If not, the gentlewoman from Indiana is recognized.

Mrs. WALORSKI. Mr. Chair, may I inquire how much time I have remaining?

The CHAIR. The gentlewoman from Indiana has 3½ minutes remaining.

Mrs. WALORSKI. Mr. Chair, I yield 2 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chair, I thank the gentlewoman for yielding me the time.

As someone who has worked very hard to ensure that this CFTC reauthorization process is transparent for commodity purchasers, users, and the markets that facility these transactions, I was pleased to work with Mrs. WALORSKI on her amendment to bring further transparency and openness to the issue of aluminum warehousing.

Her amendment would clarify that the bill's required report on the status of any application of metal exchange to register as a foreign board of trade should also include the status of consultations with all U.S. market participants, including major producers and consumers.

I applaud her for offering this targeted amendment to improve the underlying legislation and help everyone in the aluminum market have the best information possible to strengthen aluminum supplies and bring the best cost for consumers, helping to create jobs and grow our economy.

I support her amendment.

Mrs. WALORSKI. Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Indiana (Mrs. WALORSKI).

The amendment was agreed to.

Mr. CONAWAY. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAMALFA) having assumed the chair, Mr. SIMPSON, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, had come to no resolution thereon.

PERMISSION TO CONSIDER AMENDMENTS OUT OF SEQUENCE DURING FURTHER CONSIDERATION OF H.R. 2289, COMMODITY END-USER RELIEF ACT

Ms. PLASKETT. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 2289, pursuant to House Resolution 288, amendment Nos. 2 and 3 printed in House Report 114–136 may be considered out of sequence.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the Virgin Islands?

There was no objection.

COMMODITY END-USER RELIEF ACT

The SPEAKER pro tempore. Pursuant to House Resolution 288 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2289.

Will the gentleman from Idaho (Mr. SIMPSON) kindly resume the chair.

□ 1630

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the state of the Union for the further consideration of the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole House rose earlier today, amendment No. 5 printed in House Report 114–136 offered by the gentlewoman from Indiana (Mrs. WALORSKI) had been disposed of.

AMENDMENT NO. 2 OFFERED BY MS. PLASKETT

The CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 2 printed in House Report 114–136.

Ms. PLASKETT. Mr. Chairman, I offer an amendment as the designee of the gentleman from Arizona (Mr. GALLEGO).

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 13, after line 6, insert the following:

(c) SENSE OF THE CONGRESS.—It is the sense of the Congress that the Commodity Futures Trading Commission should take all appropriate actions to encourage applications for positions in the Office of the Chief Economist from members of minority groups, women, disabled persons, and veterans.

The CHAIR. Pursuant to House Resolution 288, the gentlewoman from the Virgin Islands (Ms. PLASKETT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from the Virgin Islands.

Ms. PLASKETT. Mr. Chairman, this amendment is very straightforward. It simply urges the CFTC Office of the Chief Economist to encourage applicants for employment by members of minority groups, women, disabled persons, and veterans.

This is a basic standard that I believe every corporation and Federal agency in America should and is willing to strive to meet. Our government is stronger when its workforce reflects the rich diversity of the American people, and this is especially true when it comes to our financial regulatory agencies.

In the years preceding the financial crash, CFTC and the SEC fell down on the job. Their failures helped set the stage for the crushing recession that followed, an economic downturn that disproportionately impacted communities of color.

In the wake of this crisis, Dodd-Frank wisely established the Offices of Minority and Women Inclusion to promote diversity at the Nation's financial regulators and to ensure that the interests of women and minorities would be protected by these agencies.

I was pleased when, earlier this month, six regulatory bodies came together to announce the creation of joint standards for assessing the diversity practices of the financial institutions they oversee.

Though long overdue, this is a critical step forward that will help to promote a more inclusive financial industry. While CFTC did not participate in crafting these standards, I hope that by passing this amendment today we can send a clear message that Congress expects the agency to demonstrate a strong commitment to diversity and inclusion moving forward.

Mr. Chairman, this amendment is narrowly crafted, but it promotes a far-reaching goal, advancing the fundamentally American principles of equal opportunity for all.

I urge all Members to support this amendment, and I yield back the balance of my time.

Mr. CONAWAY. Mr. Chairman, I claim the time in opposition, but I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Texas is recognized for 5 minutes.

There was no objection.

Mr. CONAWAY. Mr. Chairman, I am not opposed to the amendment, as I said. The CFTC in fact does have an office of diversity and inclusion and has three people employed there to work at this very important issue.

I would like to put in the RECORD a statement from Chairman Massad. He says:

Our greatest resource is our employees, and each of us plays a role in ensuring that we recognize the benefits of the differences and the diversity that we bring to our environment.

The protections provided by the Equal Opportunity Act extend to everything we do at the agency, be it recruitment, hiring, appraisal systems, promotions, training and career development programs, or any other actions . . . All persons should be afforded equal employment opportunities at the Commission in an environment in which they can do their best.

I urge support of the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from the Virgin Islands (Ms. PLASKETT).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. TAKAI

The CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 3 printed in House Report 114–136.

Mr. TAKAI. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 15, line 4, strike ''and''.

Page 15, line 7, strike the period and insert ''; and''.

Page 15, after line 7, insert the following:

''(iii) include a summary of any plan of action and milestones to address any known information security vulnerability, as identified pursuant to a widely accepted industry or Government standard, including—

''(I) specific information about the industry or Government standard used to identify the known information security vulnerability;

''(II) a detailed time line with specific deadlines for addressing the known information security vulnerability; and

''(III) an update of any such time line and the rationale for any deviation from the time line.''.

The CHAIR. Pursuant to House Resolution 288, the gentleman from Hawaii (Mr. TAKAI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Hawaii.

Mr. TAKAI. Mr. Chairman, I yield myself such time as I may consume.

My amendment is simple and would help to address cyber vulnerabilities for stored government information at the Commodity Futures Trading Commission.

As the bill is currently written, section 206 would require the Commodity Futures Trading Commission to come up with a 5-year plan on technology acquisition. My amendment would add reporting requirements to Congress on plans of actions and milestones for any known information security vulnerability.

My amendment would include a detailed timeline with specific deadlines for addressing the known threats to make sure we get any threat dealt with and solved in a reasonable amount of time.

Mr. Chairman, we have seen recently that cybersecurity is a serious threat to our security, where just last week the personal information of over 4 million Federal employees was compromised. This was one of the largest known cyber attacks on Federal networks in our history and only further underscores the necessity of this amendment.

As we know, this threat is very real. Networks are being attacked constantly by a variety of different actors and for different reasons. For example, there is evidence that our financial institutions have been targeted, and other actors are out to steal one of the best drivers that we have of our economic growth: intellectual property.

Cybersecurity is a problem that the entire government needs to address. The CFTC will be storing very sensitive information, and they should have a plan to place privacy safeguards on this information when storing government data.

If we are going to discuss budgeting for technology acquisition, we should also be discussing looking at information security vulnerabilities, a plan to address them, and have reporting requirements along the way.

This amendment is common sense, and I urge my colleagues to support its adoption.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Hawaii (Mr. TAKAI).

The amendment was agreed to.

The CHAIR. The question is on the amendment in the nature of the substitute, as amended.

The amendment was agreed to.

The CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SMITH of Nebraska) having assumed the chair, Mr. SIMPSON, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, and, pursuant to House Resolution 288, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. PETERSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PERMANENT INTERNET TAX FREEDOM ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 235) to permanently extend the Internet Tax Freedom Act.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 235

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Permanent Internet Tax Freedom Act''.

SEC. 2. PERMANENT MORATORIUM ON INTERNET ACCESS TAXES AND MULTIPLE AND DISCRIMINATORY TAXES ON ELECTRONIC COMMERCE.

(a) IN GENERAL.—Section 1101(a) of the Internet Tax Freedom Act (47 U.S.C. 151 note) is amended by striking ''during the period beginning November 1, 2003, and ending October 1, 2015''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxes imposed after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 235, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

The clock is ticking down on a key law that protects Internet freedom. On October 1, 2015, a temporary moratorium on State taxation of Internet access will expire.

In 1998, Congress temporarily banned State and local governments from newly taxing Internet access or placing multiple or discriminatory taxes on Internet commerce. With minor modifications, this ban was extended five times, with enormous bipartisan support. The most recent extension passed in 2014.

If the moratorium is not renewed, the potential tax burden on consumers will be substantial. The average tax rate on communications services in 2007 was 13.5 percent, more than twice the average rate on all other goods and services. The FCC's recent reclassification of the Internet as a telecom service emboldens States to apply these telecom taxes to Internet access immediately, should ITFA lapse.

To make matters worse, this tax is regressive. Low-income households pay 10 times as much in communications taxes as high-income households as a share of income.

The Permanent Internet Tax Freedom Act converts the moratorium into a permanent ban—on which consumers, innovators, and investors can permanently rely—by simply striking the 2015 end date.

This legislation prevents a surprise tax hike on Americans' critical services this fall. It also maintains unfettered access to one of the most unique gateways to knowledge and engines of self-improvement in all of human history.

□ 1645

This is not an exaggeration. During the 2007 renewal of the moratorium, the Judiciary Committee heard testimony that more than 75 percent of the remarkable productivity growth that increased jobs and income between 1995 and 2007 was due to investment in telecommunications networks technology and the information transported across them.

Everyone in Silicon Valley knows Max Levchin's story. He came to America from the Soviet Union at age 16. He had $300 in his pocket, and he learned English by watching an old TV set he hauled out of a dumpster and repaired. Ten years later, he sold PayPal, a well-known Internet payments platform he cofounded, for $1.5 billion.

That is the greatness of the Internet. It is a liberating technology that is a vast meritocracy. It does not care how you look or where you come from. It offers opportunity to anyone willing to invest time and effort.

That is precisely why Congress has worked assiduously for 16 years to keep Internet access tax-free. Now we must act again, once and for all.

The Permanent Internet Tax Freedom Act has 188 cosponsors. Identical legislation passed last year on suspension by a voice vote.

Nevertheless, small pockets of resistance remain. They argue that the Internet is no longer a fledgling technology in need of protection. But it is precisely the ubiquity of the Internet that counsels for a permanent extension. It has become an indispensable gateway to scientific, educational, and economic opportunities.

It is the platform that turned Max Levchin from an impoverished immigrant into a billionaire. The case for permanent Internet tax-free access to this gateway technology is stronger today than it ever has been.

It is important to note that PITFA does not address the issue of State taxes on remote sales made over the Internet. It merely prevents Internet access taxes and unfair multiple or discriminatory taxes on e-commerce, whether inside the taxing State or without.

That said, the committee is also eager to proceed with legislation that levels the playing field between traditional and online retailers without letting States tax and regulate beyond their borders. Productive discussions continue.

I would like to specifically thank Ms. ESHOO, Mr. CHABOT, Subcommittee Chairman MARINO, and Subcommittee Ranking Member COHEN for their work on and support of this legislation.

This bipartisan legislation is about giving every American unfettered access to the Internet, which is the modern gateway to the American Dream. I urge all of my colleagues to support it, and I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

We have often worked, in the Judiciary Committee, as Mr. GOODLATTE has so noted, because of the bipartisan leadership, including the offerer of this bill, the gentlewoman from California

(Ms. ESHOO), in a bipartisan manner as it deals with this new phenomena, and when I say ''new phenomena,'' continually changing phenomena, the Internet and the entire world of social media and the new technologies that we face today in communications.

So, I am always eager to find common ground and would have liked to have done so as we worked together on this very important bill, H.R. 235.

As a senior member of the House Judiciary Committee, and as the ranking member on the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, coming from Houston, I rise with great concern on H.R. 235, the Permanent Internet Tax Freedom Act.

When originally enacted in 1998, the Internet Tax Freedom Act established a temporary moratorium on multiple discriminatory taxation of the Internet, as well as new taxes on Internet access. This moratorium, however, is due to expire on October 1 of this year.

Since 1998, Congress has extended the moratorium on a temporary basis. The bill before us, H.R. 235, will make that moratorium permanent.

Unfortunately, in doing so, H.R. 235 also ends the act's grandfather protection for States that imposed such taxes prior to the act's enactment. There lies the crux of the problem: intrusion into individual States' authority dealing with taxation and providing them with a bridge of revenue.

H.R. 235 is problematic for several reasons. First, Congress, instead of supporting this seriously flawed legislation, should be focusing on meaningful ways to help State and local governments, taxpayers, and local retailers. The House can do that by addressing the remote sales tax issue.

In addition to extending the expiring moratorium on a temporary basis, the House should take up and send to the Senate legislation that would give States the authority to collect sales taxes from remote sellers. Such a proposal would incentivize remote sellers to collect and remit such taxes, as well as require States to simplify several procedures that would benefit retailers. Such legislation would enable States and local governments to collect more than $23 billion in estimated uncollected sales taxes each year.

The measure would also help level the playing field for local retailers who must collect sales taxes when they compete with out-of-state businesses that do not collect these taxes. Retail competitors should be able to compete fairly with their Internet counterparts, at least with respect to sales tax policy.

Now, I do know that a lot of our businesses are taking to the Internet, and I applaud that. But before I came here today I spoke before at least 100-plus small businesses. I can tell you that they are worth considering, for many of them are in bricks-and-mortar, and they are small businesses trying to increase their revenue and trying to employ a number of employees. We should thank them for the energy that they provide to the economy.

I believe the House should do its part and address the remote sales tax disparity before the end of this Congress.

Second, this legislation will severely impact the immediate revenues for the grandfather-protected States and all States progressively in the long term.

The CBO, for example, estimates that this bill will cost certain States several hundred million dollars annually in lost revenues.

Indeed, the Federation of Tax Administrators has estimated that the bill will cause the grandfather-protected States to lose at least $500 million in lost revenue.

For my home State of Texas, enactment of this bill will result in a revenue loss of $358 million, and Texas will not be alone in those losses annually.

Mr. Speaker, I reserve the balance of my time.

Mr. Speaker, as senior member of the House Judiciary Committee; as the ranking member of the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations; and as the representative from Houston, I rise in opposition to H.R. 235, the ''Permanent Internet Tax Freedom Act.''

When originally enacted in 1998, the Internet Tax Freedom Act established a temporary moratorium on multiple and discriminatory taxation of the Internet as well as new taxes on Internet access.

This moratorium, however, is due to expire on October 1st, of this year.

Since 1998, Congress has extended the moratorium on a temporary basis. The bill before us, H.R. 235 will make that moratorium permanent.

Unfortunately, in doing so, H.R. 235 also ends the Act's grandfather protections for states that imposed such taxes prior to the Act's enactment date.

Mr. Speaker, H.R. 235 is problematic for several reasons.

First, Congress, instead of supporting this seriously flawed legislation, should be focusing on meaningful ways to help state and local governments, taxpayers, and local retailers. The House can do that by addressing the remote sales tax issue.

In addition to extending the expiring moratorium on a temporary basis, the House should take up and send to the Senate legislation that would give states the authority to collect sales taxes from remote sellers.

Such a proposal would incentivize remote sellers to collect and remit sales taxes as well as require states to simplify several procedures that would benefit retailers.

Such legislation would enable states and local governments to collect more than $23 billion in estimated uncollected sales taxes each year.

The measure would also help level the playing field for local retailers—who must collect sales taxes—when they compete with out-of state businesses that do not collect these taxes.

Retail competitors should be able to compete fairly with their Internet counterparts at least with respect to sales tax policy.

The House should do its part and address the remote sales tax disparity before the end of this Congress.

Second, this legislation will severely impact the immediate revenues for the grandfather-protected states and all states progressively in the long term.

The Congressional Budget Office, for example, estimates that this bill will cost certain states ''several hundred million dollars annually'' in lost revenues.

Indeed, the Federation of Tax Administrators has estimated that the bill will cause the grandfather-protected states to lose at least $500 million in lost revenue annually.

For my home state of Texas, enactment of this bill will result in a revenue loss of $358 million per year. Texas will not be alone in these losses, annually: Wisconsin will lose about $127 million, Ohio will lose about $65 million, and South Dakota will lose about $13 million.

Should this bill become law, state and local governments will have to choose whether they will cut essential government services—such as educating our children, maintaining needed transportation infrastructure, and providing essential public health and safety services—or shift the tax burden onto other taxpayers through increased property, income, and sales taxes.

Meanwhile, the Center on Budget and Policy Priorities has estimated that the permanent moratorium will deny the non-grandfathered states of almost $6.5 billion in potential state and local sales tax revenues each year in perpetuity.

H.R. 235 will burden taxpayers, while excluding an entire industry from paying their fair share of taxes.

Finally, this bill ignores the fundamental nature of the Internet.

The original moratorium was intentionally made temporary to ensure that Congress, industry, and state and local governments would be able to monitor the issue and make adjustments where necessary to accommodate new technologies and market realities.

The Act was intended as a temporary measure to assist and nurture the fledgling Internet that—back in 1998—was still in its commercial infancy. Yet, this bill ignores the significantly changed environment of today's Internet.

The bill's supporters continue to believe that the Internet still is in need of extraordinary protection in the form of exemption from all state taxation.

But, the Internet of 2015 is drastically different from its 1998 predecessor. And, surely the Internet and its attendant technology will continue to evolve.

Permanently extending the tax moratorium severely limits Congress's ability to revisit and make any necessary adjustments.

Simply put, a permanent moratorium is unwise.

In closing, urge my colleagues to oppose H.R. 235.

Mr. GOODLATTE. Mr. Speaker, at this time it is my pleasure to yield 3 minutes to the gentleman from Ohio (Mr. CHABOT), a member of the Judiciary Committee and chairman of the Small Business Committee.

Mr. CHABOT. Mr. Speaker, I want to thank the chairman of the Judiciary Committee, Mr. GOODLATTE, not only for yielding me this time but also for his leadership on promoting and pushing for this bill.

The Internet is an essential component of our economy. It drives innovation, job creation, and has resulted in a higher standard of living for virtually every American.

The bill before us today provides certainty to Americans by making the current law of the land permanent and protecting access to the Internet against new taxes.

Mr. Speaker, there is common ground in this Chamber today. We all agree that the Internet is an essential part of our lives and an incredibly powerful tool for communication, education, and job creation. Let's not make accessing the Internet more costly and more difficult.

The Permanent Internet Tax Freedom Act, H.R. 235, makes the current law of the land permanent and protects access to the Internet from new taxes, and that is why I would urge my colleagues to support the bill.

The Internet, it is essential to our everyday lives. Americans use it to run small businesses, to do research, to apply for jobs, to listen to music, to communicate with friends and family, to check the weather and the traffic, and for so many other things.

Since 1998, Congress has made sure that access to the Internet remains tax-free. Unfortunately, this protection expires in October, at which point taxes could go up on every American who wants to get online.

Now is the time to make sure that this policy remains permanent. Now is the time to protect access to the Internet.

So I want to again thank the chairman of the Judiciary Committee, Mr. GOODLATTE, for his leadership on this issue. Let's make sure that access to the Internet stays tax-free. That is the way it is under the existing law. What we are trying to do is to make that permanent. I would urge my colleagues to do that.

Ms. JACKSON LEE. Mr. Speaker, it gives me great pleasure to yield 4 minutes to the gentlewoman from California (Ms. ESHOO), the longstanding author of this legislation.

Ms. ESHOO. I thank the gentlewoman from Texas.

Mr. Speaker, I rise in strong support of H.R. 235, the Permanent Internet Tax Freedom Act.

Now, whether it is communication, commerce, business, education, research, access to the Internet is today an integral part of the everyday life of millions of Americans and people around the world. And we take great pride in this because this is an American invention.

Just this month, the GAO released a new report which found that broadband affordability continues to be the most frequently identified barrier to adoption.

Now, this whole issue of taxation for access to the Internet, this is not the collection of taxes across State lines. That is another issue.

There are over 10,000 taxing agencies in the United States today. Imagine if we, you, your constituents, everyone in the country who uses the Internet has to pay for access to the Internet every time they go to use it, that they would be taxed on that.

So, the temporary, or the moratorium bill that we have, now this one makes it permanent. This is a bipartisan effort. Over 200 cosponsors in the Congress are on it.

We want to encourage expanded broadband adoption. If you tax it, you are going to shrink it. And I think in the communities that are of lower economic means, this is going to hurt them even more.

We need to do everything we can to ensure that Internet access is universally affordable. This bill is an important component of that effort by permanently eliminating the taxation of Internet access.

The current moratorium, as my colleagues have said, expires October 1, and we want to be ahead of that to keep the door open, but no taxation to access.

I want to salute the chairman, Chairman GOODLATTE. We are good friends. We have worked on other efforts.

As I said, this bill has nearly 200 bipartisan cosponsors and strong support of the communications, Internet, and e-commerce industries. So I would urge all of my colleagues to support this, and understand that, from the ground up, we want to expand the use of broadband in our country for every community. Whether they are poor, whether they are rural, whether they are in a city, whether they are middle class individuals, we don't want to weigh the Internet down with taxation of average people in this country. It would really be unfair, and I think it would smother the Internet as we know it.

Mr. GOODLATTE. Mr. Speaker, I have only one speaker remaining. I believe I have the right to close, so if the gentlewoman has additional speakers, I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I am delighted to yield 1½ minutes to the distinguished gentleman from Tennessee (Mr. COHEN), who is the ranking member on the Judiciary Committee's Regulatory Reform, Commercial and Antitrust Law Subcommittee.

Mr. COHEN. Mr. Speaker, I thank the gentlewoman for providing the time, and I want to thank her for her good work.

I also want to thank the chairman of the committee for bringing this bipartisan bill, which is bipartisan. I signed on to this bill, I guess, with Representative ESHOO and maybe Representative GOODLATTE, back in 2007 because it is my belief that the Internet is a necessity, and it is a necessity in minority communities who need that outreach to information, whether it is educational or commercial, to reach out and be a part of the society. Without the Internet, you can't do that.

Now, the gentlewoman from Texas and my State, Tennessee, neither have an income tax, and therefore, our governments rely on taxes that tend to be regressive. I think Tennessee is the most regressive State in the country on its taxes, very high sales tax.

And the local governments will reach out for anything they can find to tax to make up for the fact that our State doesn't have a progressive tax base.

□ 1700

I want to protect my constituents against regressive taxes at all levels and protect them against taxes that might limit their potentiality of getting access to the World Wide Web and information they need.

So I am proud to be a sponsor of this, to work with the gentleman from Ohio (Mr. CHABOT), with whom I have worked on so many bills together, trying to get the Delta Queen going back down the river and all these other things, and the gentleman from Virginia (Mr. GOODLATTE), the chairman on the Judiciary Committee. I thank them for their work and hope they will all vote for this in a bipartisan fashion. I hope the Senate will, as they did on the USA FREEDOM Act, follow the lead of the House and show that the House leads.

Mr. GOODLATTE. Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself the balance of my time.

First of all, let me again say that in the Judiciary Committee, we have consistently worked together on issues dealing with the Internet, continue to work together on issues dealing with innovation, so I would hope as this bill makes its way to the Senate we will find an opportunity to work together again.

But I want to make mention of the fact that in addition to Texas, Wisconsin will lose about $127 million, Ohio will lose about $65 million, and South Dakota will lose about $13 million. Should this bill become law, State and local governments will have to choose whether they will cut essential government services, such as educating our children, maintaining needed transportation infrastructure, and providing essential public health and safety services, or shift the tax burden onto other taxpayers to increase property income and sales taxes.

Now let me be very clear: I am not interested in taxing the Internet. I am

interested in the process that most States are utilizing. It is the purchase of items that juxtapose against those who have bricks and mortar, and particularly small businesses.

Meanwhile, the Center on Budget and Policy Priorities has estimated that the permanent moratorium will deny the non-grandfathered States of almost $6.5 billion in potential State and local sales tax revenue—sales tax, not access to the Internet.

H.R. 235 will burden taxpayers while excluding an entire industry from paying their fair share of taxes. I want this industry to grow, and, again, I do not want taxing on access. You can be on the Internet from morning until the early sunrise again, the next day. But for those States who have worked and worked with our committee, trying to find a pathway forward, I would like to see us find a compromise.

Finally, this bill ignores the fundamental nature of the Internet. The original moratorium was intentionally made temporary to ensure Congress, industry, and State and local governments would be able to monitor the issue and make adjustments where necessary to accommodate new technologies and market realities, such as acts. The act was intended as a temporary measure to assist and nurture the fledgling Internet that back in 1998 was still in its commercial infancy, yet this bill ignores the significantly changed environment of today's Internet.

The bill's supporters continue to believe that the Internet still is in need of extraordinary protection in the form of exemptions from State taxation, but the Internet of 2015 is drastically different from 1998. It is standing on its own two legs. It is not a toddler. It is a full-grown adult.

Permanently extending the tax moratorium severely limits Congress' ability to revisit and make any necessary adjustments, though I hope we will.

Simply put, the permanent moratorium is unwise, and I urge my colleagues to consider the problems of H.R. 235. H.R. 235, I think, should be addressing these issues dealing with the many who have opposed it.

Let me, as I close, mention that the National Governors Association recently introduced the following statement: ''The National Governors Association is disappointed that the House Judiciary Committee is moving to make the Internet access tax moratorium permanent.''

NGA STATEMENT REGARDING INTERNET ACCESS TAX

[For Immediate Release, June 17, 2014]

WASHINGTON—The National Governors Association today released the following statement regarding the Internet access tax moratorium:

''The National Governors Association (NGA) is disappointed that the House Judiciary Committee is moving to make the Internet access tax moratorium permanent.

''Federal prohibitions on state taxing authority are contrary to federalism and the sovereign authority of states to structure and manage their own fiscal systems.

''NGA encourages the committee instead to act to address the disparity between Main Street retailers and online sellers regarding the collection of state and local sales taxes. Leveling the playing field for all retailers is a priority for governors, consistent with federalism and the best opportunity for states, Congress and the business community to work together.''

Ms. JACKSON LEE. I would like to make note that I came from local government, so I have a letter signed by representatives of the National Association of Counties, National League of Cities, U.S. Conference of Mayors, International City/County Management Association, Government Finance Officers Association, and the National Association of Telecommunications Officers and Advisors. In part, they simply say that they are writing on behalf of local governments: ''We urge you to oppose the legislation. . . . The most recent estimates provided by the Congressional Budget Office,'' they write, ''indicate that, if enacted, H.R. 3086 would cost State and local governments hundreds of millions of dollars in lost revenues.''

NATIONAL ASSOCIATION OF COUNTIES, NATIONAL LEAGUE OF CITIES, U.S. CONFERENCE OF MAYORS, INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION, GOVERNMENT FINANCE OFFICERS ASSOCIATION, NATIONAL ASSOCIATION OF TELECOMMUNICATIONS OFFICERS AND ADVISORS

July 8, 2014.

DEAR REPRESENTATIVE: On behalf of local governments across the nation, our organizations write to express our continuing opposition to H.R. 3086, the Permanent Internet Tax Freedom Act. We urge you to oppose the legislation when it is considered on the House floor.

The most recent estimates provided by the Congressional Budget Office indicate that, if enacted, H.R. 3086 would cost state and local governments hundreds of millions of dollars in lost revenues. These are revenues that local governments rely upon to fund essential services in their communities, including well-trained firefighters and police officers; schools, parks, community centers and libraries to support youth; retirement security for dedicated career employees; and continued investments to fix aging infrastructure.

In addition, now that Internet access is ubiquitous and its use generates scores of billions of dollars in revenue annually, it no longer justifies protection from state and local taxation. When the law was first enacted in 1998, the Internet access and commerce industries were in their infancy and only beginning to be significantly available to households. The intent of the moratorium was to give the then-nascent Internet industry time to grow and become established. However, even at that time, Congress recognized that the ban should not be permanent.

Finally, as the telecommunications and cable service industries transition to broadband, the scope of what the ITFA immunizes from state and local taxation is rapidly expanding. Over time, the ITFA would arbitrarily exempt this fast growing, prosperous sector of the economy from taxation, and unfairly shift the burden of supporting essential local services onto other businesses and residents in a community.

For all of these reasons, we urge you to vote against the Permanent Internet Tax Freedom Act, H.R. 3086.

Sincerely,

Matthew D. Chase, Executive Director, National Association of Counties;

Clarence E. Anthony, Executive Director, National League of Cities;

Tom Cochran, Executive Director, U.S. Conference of Mayors;

Robert J. O'Neill, Executive Director, International City/County Management Association;

Jeffrey L. Esser, Executive Director, Government Finance Officers Association;

Stephen Traylor, Executive Director, National Association of Telecommunications Officers and Advisors.

Ms. JACKSON LEE. I want to be very clear: I am here, as many Members are, to extend our hand of friendship for the protection of the Internet and the question of sales on the Internet. I hope we will be able to do that. I ask my colleagues to consider the failings of the present bill and to, in its present form, oppose it.

TO MEMBERS OF THE TEXAS CONGRESSIONAL DELEGATION: As some of you already know, this bill would make permanent the Internet Tax Freedom Act and, importantly for Texas, would repeal the existing grandfather clause that has been in place since the original passage of the Act in 1998 that has allowed Texas to impose sales and use taxes on Internet access services at the state and local level.

The Texas legislature just finished its regular session on June 1, and while it decided to cut property and franchise taxes, it chose to maintain the sales and use tax imposed on these services and anticipates receiving that revenue during the next two year budget cycle.

The estimated revenue loss to the state and local jurisdictions if the grandfather is not extended is as follows:

State: $280 million
City: 51
Transit: 18
County: 5
Special districts: 4
Total: $358 million (per year)

Please feel free to get in touch with me if you need input from the Comptroller's office on this or any other state/local tax bills that come before the House.

Thanks,

NANCY L. PROSSER,
Special Counsel to the Deputy Comptroller, Texas Comptroller of Public Accounts.

JUNE 8, 2015.

LABOR UNIONS OPPOSE H.R. 235 (PITFA) BAN ON STATE & LOCAL GOVERNMENT TAXES ON INTERNET ACCESS.

DEAR REPRESENTATIVE: We, the undersigned labor unions, oppose a federal ban on the authority of state and local governments to impose taxes on internet access. We strenuously oppose the ''Permanent Internet Tax Freedom Act'' (H.R. 235), which would ban these internet access taxes permanently. This type of federal tax preemption is typically unwarranted because it restricts state and local government taxing authority unnecessarily, narrows the tax base, and often leads to harmful unintended consequences. In this case, the internet's huge economic value, its vast and expanding importance to daily life, and the vague statutory definition of ''internet access'' makes this particular carve out especially troubling and likely to cause fiscal problems. By restricting state

and local taxing authority, this bill reduces the ability of state and local governments to raise funds to invest in needed infrastructure, education, health care, job training, and other vital public services.

While a short-term ban is less troubling than a permanent ban, any ban remains problematic and harmful to state and local government finances. Ideally, the existing temporary ban should be allowed to expire as scheduled on September 30, 2015. As new internet-based technology and related applications increasingly affect our daily lives and rapidly transform our economy, we are extremely wary of a ban that is permanent. Congress should be extremely cautious before supporting a permanent tax exemption for internet access. Moreover, it would set harmful, inappropriate, and costly precedents that could spillover into other sectors of our economy.

Years ago, some opined the internet needed time to grow because it was weak, tiny, or immature. In contrast, today's internet is an enormously powerful driver of our economy, a central part of our daily lives, and an enormously valuable well developed industry. As the internet continues providing new transformative services to businesses and consumers, its importance to America's economy grows. Prohibiting these taxes would unfairly exempt this economic sector from contributing to our common well being and communities. In addition, this unneeded and undeserved carve out would unfairly shift its share of taxes to other services, sectors, and stakeholders. There is no reason to exempt internet providers and users from state and local government taxes.

Our labor unions urge you to oppose the ''Permanent Internet Tax Freedom Act'' (H.R. 235) and any similar ban on state and local government taxes on internet access.

American Federation of Labor and Congress of Industrial Organizations (AFL-CIO); American Federation of State, County and Municipal Employees (AFSCME); American Federation of Teachers (AFT); Amalgamated Transit Union (ATU); Communications Workers of America (CWA); Department for Professional Employees, AFL-CIO (DPE); International Association of Fire Fighters (IAFF); International Federation of Professional and Technical Engineers (IFPTE); International Union of Police Associations (IUPA); National Education Association (NEA); Service Employees International Union (SEIU); International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW).

Ms. JACKSON LEE. With that, I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield myself the balance of my time.

The last thing the American people need is another tax bill at their door come October. If the ban lapses, State telecommunications taxes could take effect, and those rates are already too high. Basic economics teaches that, as price rises, demand falls.

Former White House Chief Economist Austan Goolsbee estimated that a tax that increased the price of Internet access by 1 percent would reduce demand for Internet access by 2.75 percent. This bill ensures that access to the Internet—this unparalleled engine of social mobility—remains tax-free. That is why this bill is so overwhelmingly popular. Nevertheless, I believe it is proper to counter the criticisms of the small pockets of resistance that remain.

The opponents' chief argument is that the bill would cost the States $6.5 billion annually. This argument confuses an out-of-pocket loss with prevention of a gain. States cannot currently tax Internet access, so they will suffer no actual revenue loss. The only out-of-pocket loss would be to taxpayers in 44 States who will owe an additional $6.5 billion annually should it expire. They will have to pay taxes that they don't have to pay now.

Nevertheless, some of our colleagues would prefer to extend the moratorium temporarily rather than permanently. That is simply inefficient. The moratorium has been periodically renewed by enormous bipartisan margins in both Houses for 16 years. No serious expectations are being upset by codifying what everyone knows is the case: the moratorium is not going away.

The grandfathers will be eliminated, but that only affects six States that have had more than enough time to transition to other sources of revenue, which was the original intent of the grandfather clauses. If those States still need more time, I am open to working with the Senate on a final phaseout.

Opponents also argue that PITFA creates unequal treatment of similar services. The example given is landline phone service, which is taxable, versus Skype which, under PITFA, is accessible tax-free. But this happens because Skype's basic service is free; Skype's paid service is taxable. Indeed, PITFA specifically provides that Internet phone service is taxable.

More importantly, this neutrality argument conflates a service with the access to it.

The toll road on the way to the shopping mall is not the same as the sales tax paid at the mall. PITFA is neutral because Skype's paid service remains taxable, just like landline service.

True, there is no tax on Skype's basic service because it is free, but that is the function of Skype's revenue model, not a different tax treatment of the same service.

This legislation has enormous bipartisan support precisely because Members on both sides of the aisle already understand the flaws in these objections. I catalog them here merely to complete the record.

This is a great issue for the Congress to move forward on in a bipartisan fashion that will help to create jobs and economic growth and foster continued greater access to the unparalleled opportunities that Internet access provides. I urge my colleagues to support this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 235.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FOREIGN CULTURAL EXCHANGE JURISDICTIONAL IMMUNITY CLARIFICATION ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 889) to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 889

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Foreign Cultural Exchange Jurisdictional Immunity Clarification Act''.

SEC. 2. CLARIFICATION OF JURISDICTIONAL IMMUNITY OF FOREIGN STATES.

(a) IN GENERAL.—Section 1605 of title 28, United States Code, is amended by adding at the end the following:

''(h) JURISDICTIONAL IMMUNITY FOR CERTAIN ART EXHIBITION ACTIVITIES.—

''(1) IN GENERAL.—If—

''(A) a work is imported into the United States from any foreign country pursuant to an agreement that provides for the temporary exhibition or display of such work entered into between a foreign state that is the owner or custodian of such work and the United States or one or more cultural or educational institutions within the United States,

''(B) the President, or the President's designee, has determined, in accordance with subsection (a) of Public Law 89–259 (22 U.S.C. 2459(a)), that such work is of cultural significance and the temporary exhibition or display of such work is in the national interest, and

''(C) the notice thereof has been published in accordance with subsection (a) of Public Law 89–259 (22 U.S.C. 2459(a)),

any activity in the United States of such foreign state, or of any carrier, that is associated with the temporary exhibition or display of such work shall not be considered to be commercial activity by such foreign state for purposes of subsection (a)(3).

''(2) NAZI-ERA CLAIMS.—Paragraph (1) shall not apply in any case asserting jurisdiction under subsection (a)(3) in which rights in property taken in violation of international law are in issue within the meaning of that subsection and—

''(A) the property at issue is the work described in paragraph (1);

''(B) the action is based upon a claim that such work was taken in connection with the acts of a covered government during the covered period;

''(C) the court determines that the activity associated with the exhibition or display is commercial activity, as that term is defined in section 1603(d); and

''(D) a determination under subparagraph (C) is necessary for the court to exercise jurisdiction over the foreign state under subsection (a)(3).

''(3) DEFINITIONS.—For purposes of this subsection—

''(A) the term 'work' means a work of art or other object of cultural significance;

''(B) the term 'covered government' means—

''(i) the Government of Germany during the covered period;

''(ii) any government in any area in Europe that was occupied by the military forces of the Government of Germany during the covered period;

''(iii) any government in Europe that was established with the assistance or cooperation of the Government of Germany during the covered period; and

''(iv) any government in Europe that was an ally of the Government of Germany during the covered period; and

''(C) the term 'covered period' means the period beginning on January 30, 1933, and ending on May 8, 1945.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to any civil action commenced on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentleman from Tennessee (Mr. COHEN) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 889, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to begin by thanking the gentleman from Ohio (Mr. CHABOT) for introducing this legislation and the gentleman from Michigan (Mr. CONYERS) and the gentleman from Tennessee (Mr. COHEN) for their support as well.

The Foreign Cultural Exchange Jurisdictional Immunity Clarification Act strengthens the ability of U.S. museums and educational institutions to borrow foreign-government-owned artwork and cultural artifacts for temporary exhibition or display in the United States.

The United States has long recognized the importance of encouraging the cultural exchange of ideas through exhibitions of artworks and other artifacts loaned from other countries. These exchanges expose Americans to other cultures and foster understanding between people of different nationalities, languages, religions, and races.

Unfortunately, the future success of cultural exchanges is severely threatened by a disconnect between the Immunity from Seizure Act and the Foreign Sovereign Immunities Act.

Loans of artwork and cultural objects depend on foreign lenders having confidence that the items they loan will be returned and that the loan will not open them up to lawsuits in U.S. courts.

For 40 years, the Immunity from Seizure Act provided foreign government lenders with this confidence. However, rulings in several recent Federal cases have undermined the protection provided by this law. In these decisions, the Federal courts have held that the Immunity from Seizure Act does not preempt the Foreign Sovereign Immunities Act. The effect has been to open foreign governments up to the jurisdiction of U.S. courts simply because they loaned artwork or cultural objects to an American museum or educational institution.

This has significantly impeded the ability of U.S. institutions to borrow foreign-government-owned items. It has also resulted in cultural exchanges being curtailed as foreign governments have become hesitant to permit their cultural property to travel to the United States.

This bill addresses this situation. It provides that if the State Department grants immunity to a loan of artwork or cultural objects from the Immunity from Seizure Act, then the loan cannot subject a foreign government to the jurisdiction of U.S. courts under the Foreign Sovereign Immunities Act.

This is very narrow legislation. It only applies to one of many grounds for jurisdiction under the Foreign Sovereign Immunities Act, and it requires the State Department to grant the artwork immunity before its provisions apply. Moreover, in order to preserve the claims of the victims of the Nazi government and its allies during World War II, the bill has an exception for claims brought by these victims.

If we want to encourage foreign governments to continue to lend artwork and other artifacts, we must enact this legislation. Without the protections this bill provides, foreign governments will avoid the risk of lending their cultural items to American museums and educational institutions, and the American public will lose the opportunity to view and appreciate these cultural objects from abroad.

Last Congress, this legislation passed the House with broad bipartisan support by a vote of 388–4. I, once again, urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. COHEN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 889, the Foreign Cultural Exchange Jurisdictional Immunity Clarification Act.

This bill makes a modest but important amendment to the ''expropriation exception'' of the Foreign Sovereign Immunities Act of 1976. Specifically, it ensures that foreign states are immune from suits for damages concerning the ownership of cultural property when three particularly important ingredients are present: one, that the property is in the United States pursuant to an agreement between the foreign state and the U.S. or a U.S.-based cultural or educational institution; two, the President has granted the work at issue immunity from seizure pursuant to the Immunity from Seizure Act; and three, that the President's grant of immunity from seizure is published in the Federal Register. All three of those conditions must be met.

The expropriation exception remains available to all claims concerning misappropriated cultural property to which these factual circumstances do not apply.

I would not support this bill if it did not contain a sufficient exception for claims arising from artwork stolen by the Nazis, their allies, and their affiliates.

H.R. 889 has such an exception, ensuring that victims of Nazi art theft continue to have the opportunity to pursue justice in court. This exception is appropriate and important in light of the sheer scale and the particularly concerted efforts of the Nazis to seize artwork and other cultural property from their victims.

A movie that was directed and starred in by George Clooney called ''The Monuments Men'' brought to America's attention, really, the extreme depth to which the Nazis went to confiscate art, steal art, and try to keep it for their own uses and for the future of what they saw as a Nazi world.

□ 1715

In that film, American soldiers were shown in extreme danger to themselves in great heroic acts to locate and save that artwork for generations to come. In fact, those particular survivors will be given a Congressional Gold Medal for their work.

Another recent film, ''Woman in Gold,'' tells the story of Maria Altmann. It surrounds compensation for artwork stolen by the Nazis and has been highlighted recently in the theatres.

Mrs. Altmann's effort to retrieve works by Gustav Klimt that the Nazis had taken from her uncle in Austria in the thirties led to an important Supreme Court decision that held that the expropriation exception applied to claims arising prior to the FSIA's enactment in 1976, which allowed Nazi-era victims to file suit for damages in Federal court.

It is critical to note that the bill sponsors worked with the Conference on Jewish Material Claims Against Germany to revise the Nazi-era exception to ensure that it was broad enough to be a meaningful exception. As a result, the conference has stated, for itself and for the American Jewish community, that it will not oppose the bill.

I also note that all of the FSIA's other exceptions to sovereign immunity remain available to potential plaintiffs with claims concerning the ownership of cultural property.

In particular, I note this bill does nothing to affect the attempts of Chabad to seek enforcement of its 2011 judgment against Russia, both because such judgment would predate the effective date of this bill and because it was not predicated on the loan of any artwork to the U.S., meaning this bill would not have any effect in that case even if it had been in effect in 2011.

To the extent it may be necessary, I would encourage consideration of adding clarifying language that this bill

does nothing to affect enforcement of an already entered judgment.

H.R. 89 is narrowly tailored to ensure that it provides for just enough immunity to encourage foreign states to lend their cultural property to American museums and universities, accordingly, then, to the American people, young people and older, for temporary exhibits and displays without protecting more than we intend to protect.

The bill ensures that works that have already been granted immunity from seizure by the President, pursuant to the Immunity from Seizure Act, are also immune from suits for damages, which is in keeping with the act's purpose in encouraging foreign countries to lend their works to American institutions without fear of litigation based on the act of lending these works.

In essence, if you believe in art, you like art, you think people should see art, and you like your museums, you ought to be for this bill. That is why I thank Representative STEVE CHABOT, Judiciary Committee Chairman BOB GOODLATTE, and Ranking Member JOHN CONYERS for their leadership on this issue and for allowing me to manage this time and be part of this initiative.

I would urge my colleagues to support the bill.

I reserve the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield as much time as he may consume to the gentleman from Ohio (Mr. CHABOT), who is the chief sponsor of this legislation.

Mr. CHABOT. Mr. Speaker, I would like to begin by thanking Chairman GOODLATTE, Ranking Member CONYERS, and also Mr. COHEN of Tennessee for their leadership in cosponsoring this legislation.

As Mr. COHEN had mentioned earlier, he and I have found a number of pieces of legislation which we have been able to support together in a bipartisan manner, such as the Delta Queen, which we are still working on. I would like to think that we can look forward to other pieces of legislation down the road to work together on, again in a bipartisan manner. There is a lot better chance you can get things accomplished in this House if you do that. He has reached out, and I certainly appreciate that.

H.R. 889, which I authored, is simple, straightforward legislation that restores American museums the protections of the Immunities from Seizures Act and clarifies the relationship that that act and the Foreign Sovereign Immunities Act share. This bill would revise existing law to clarify that the temporary importation of artwork is not legally considered commercial activity and assure foreign government lenders that if they are granted immunity from seizures, their loan of artwork and artifacts will not subject them to the jurisdiction of U.S. courts and lawsuits and disputes about that property, so that it is much more likely that they will allow their artifacts and artworks to come here and then be enjoyed by the American public.

Furthermore, it is important to note that the immunity provided under this bill does not apply to artwork taken in violation of international law, as was already mentioned by both Mr. GOODLATTE and Mr. COHEN, in particular, to those pieces of art seized during World War II by the Nazi government or by the Nazi government's allies or impact ongoing cases to get the Russians to return a collection of sacred Jewish books and manuscripts claimed by the Chabad movement.

By enacting the Immunity from Seizure Act, Congress recognized that cultural exchanges produce substantial benefits for the United States, both artistically and diplomatically. Foreign lending has and should continue to aid cultural understanding and increase public exposure to archeological artifacts.

However, for artwork and cultural objects owned by foreign governments, the intent of the Immunity from Seizure Act is being frustrated by the Foreign Sovereign Immunities Act. Some interpretations of the Foreign Sovereign Immunities Act have exposed foreign governments to the jurisdiction of U.S. courts based solely upon the temporary importation into the U.S. of foreign-government-owned artwork. According to the American Association of Museum Directors, this has led, on several occasions, to foreign governments declining to exchange artwork and cultural objects with the United States for temporary exhibits.

In a recent survey of 38 museums across the U.S., it was found that, over the past 5 years, these museums had 1,000 pieces denied to showcase here in the United States for very questionable reasons. These were works that museum curators reasonably believed would be loaned to their museum for special exhibits. Therefore, in order to continue the exchange of foreign-government-owned art and reaffirm our country's commitment to the promotion of foreign lending to American museums, Congress needs to clarify the relationship between the two acts I already referred to: the Immunity from Seizure Act and the Foreign Sovereign Immunities Act. That is what this legislation does.

This is a relatively minor change to the law, but it will provide enormous cultural benefits by ensuring that museums, like the Cincinnati Museum Center and the Cincinnati Art Museum and other similar museums throughout the State of Ohio and across the country, may continue to present first-class exhibits that educate the public on cultural heritage and artwork from all over the globe. Through enactment of this legislation, we can secure foreign lending to American museums and ensure that foreign art lenders are not entangled in unnecessary litigation.

Mr. Speaker, this legislation is supported by the Association of Art Museum Directors, which represents 240 museums, including the Smithsonian and several within my district and all across the country.

Last Congress, this body showed overwhelming support for this bill, and I urge my colleagues to support this legislation once again. I also urge our colleagues in the other body to swiftly move similar legislation through their Chamber. Again I thank Chairman GOODLATTE and Ranking Member CONYERS and Mr. COHEN for their support.

Mr. COHEN. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), the ranking member of the Crime, Terrorism, Homeland Security, and Investigations Subcommittee of the Judiciary Committee.

Ms. JACKSON LEE. Mr. Speaker, let me thank Mr. GOODLATTE, Mr. CHABOT, and Mr. COHEN for their great work on this instructive legislation. My appreciation for the Judiciary Committee is how we clarify the law, and in this instance the subcommittee has brought two conflicting legal tenets as relate to statutes and clarified them. So I want to celebrate it because it is directly impacting on the Nation's museums and educational institutions. Let me cite some in my congressional district.

Texas Southern University has an African American history museum. It is a beautiful display. This legislation will allow a small entity that could not stand under a lawsuit to be able to secure international gifts which they have received without the burden of litigation.

In the early stages of my career in Congress, I represented, extensively, Houston's museum district: the Museum of Foreign Arts, with an outstanding curator, museum director; the Children's Museum; the Health Museum; and the Museum of Natural Science. All of those have the tendency to receive these international gifts and also be subjected, potentially, because of the conflict to seizure.

In particular, I remember working with the Museum of Fine Arts, maybe one of my greatest early opportunities of service, and to help them bring the Russian jewels to Houston, Texas. It was a long, long journey, not because of the distance but because of the conflicting laws and the entanglement of imports and protection of the jewels. I remember being at the dock receiving those jewels after a long wait. Just imagine if there had been this potential of seizure, which there was, but that there was the glaring opportunity there for seizure and it had occurred. What would have happened to this great art exchange and, as well, to what we were doing in Houston?

Let me close by saying, Mr. Speaker, I want to support this bill extensively, and it will help all of these institutions across America.

Mr. COHEN. Mr. Speaker, I rise in support of H.R. 889, the "Foreign Cultural Exchange Jurisdictional Immunity Clarification Act."

H.R. 889 makes a modest but important amendment to the "expropriation exception" of the Foreign Sovereign Immunities Act of 1976. Specifically, it ensures that foreign states are immune from suits for damages concerning

the ownership of cultural property when: that property is in the United States pursuant to an agreement between the foreign state and the U.S. or a U.S.-based cultural or educational institution; the President has granted the work at issue immunity from seizure pursuant to the Immunity from Seizure Act; and the President's grant of immunity from seizure is published in the Federal Register.

The expropriation exception remains available to all claims concerning misappropriated cultural property to which these factual circumstances do not apply.

I would not support this bill if it did not contain a sufficient exception for claims arising from artwork stolen by the Nazis, their allies, and their affiliates.

H.R. 889 has just such an exception, ensuring that victims of Nazi art theft continue to have the opportunity to pursue justice in court.

This exception is appropriate in light of the sheer scale and the particularly concerted efforts of the Nazis to seize artwork and other cultural property from their victims.

The particular sensitivity surrounding compensation for artwork stolen by the Nazis has been highlighted in recent months by the motion picture Woman in Gold, which tells the story of Maria Altmann.

Mrs. Altmann's efforts to retrieve works by Gustav Klimt that the Nazis had taken from uncle in Austria in the 1930's led to an important Supreme Court decision that held that the expropriation exception applied to claims arising prior to the FSIA's enactment in 1976, which allowed Nazi-era victims to file suit for damages in federal court.

It is also critical to note that the bill's sponsors worked with the Conference on Jewish Material Claims Against Germany to revise the Nazi-era exception to ensure that it was broad enough to be a meaningful exception.

As a result, the Conference has stated, for itself and for the American Jewish Committee, that it will not oppose this bill.

I also note that all of the FSIA's other exceptions to sovereign immunity remain available to potential plaintiffs with claims concerning the ownership of cultural property.

In particular, I note that this bill does nothing to affect the attempts by Chabad to seek enforcement of its 2011 judgment against Russia, both because such judgment would predate the effective date of this bill and because it was not predicated on the loan of any artwork to the U.S., meaning that this bill would not effect that case even if it had been in effect in 2011.

To the extent it may be necessary, I would encourage consideration of adding clarifying language that this bill does nothing to affect enforcement of an already-entered judgment.

H.R. 889 is narrowly tailored to ensure that it provides for just enough immunity to encourage foreign states to lend their cultural property to American museums and universities for temporary exhibits and displays without protecting more than we intend to protect.

I recognize that some people may instinctively recoil at the idea of any bill that grants any level of immunity to a foreign state when ownership of a work of art or other cultural object is at issue.

But I would not support a bill that foreclosed all possibility of redress for such people.

And, H.R. 889 does not do that.

It simply ensures that works that have already been granted immunity from seizure by the President pursuant to the Immunity from Seizure Act are also immune from suits for damages, which is in keeping with the Act's purpose of encouraging foreign countries to lend their works to American institutions without fear of litigation based on the act of lending those works.

I thank Representative STEVE CHABOT, Judiciary Committee Chairman BOB GOODLATTE, and Committee Ranking Member JOHN CONYERS, Jr. for their leadership on this issue and I urge my colleagues to support this bill.

Mr. GOODLATTE. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. COHEN. Mr. Speaker, I have no further requests for time, but I would like to recognize Lafayette and Washington. The Hermione, the boat that brought Lafayette to Washington, a replica thereof, has just come to Virginia, and there is a recognition of that at Mount Vernon tonight. I think we should recognize their portraits here. They helped this country become free from the shackles of Great Britain and become the great country we are.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 889.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SUPPORTING LOCAL LAW ENFORCEMENT AGENCIES

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 295) supporting local law enforcement agencies in their continued work to serve our communities, and supporting their use of body worn cameras to promote transparency to protect both citizens and officers alike.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 295

Whereas the United States Department of Justice issued a report titled, ''Police Officer Body-Worn Cameras'', which details a number of benefits of body-worn cameras, including—

(1) increased transparency and citizen views of police legitimacy;

(2) improved behavior and civility among both police officers and citizens; and

(3) increased evidentiary benefits that expedite resolution of citizen complaints or lawsuits and improving evidence for arrest and prosecution; and

Whereas the University of Cambridge's Institute of Criminology conducted a 12-month study on the use of body-worn cameras used by law enforcement in the United Kingdom and estimated that the cameras led to a 50 percent reduction in use of force, and in addition, complaints against police fell approximately by 90 percent: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes all law enforcement agencies and officers for their tireless work to protect us and make our communities safer;

(2) recognizes the potential for the use of body-worn cameras by on-duty law enforcement officers to improve community relations, increase transparency, and protect both citizens and police; and

(3) encourages State and local law enforcement agencies to consider the use of body-worn cameras, including policies and protocols to handle privacy, storage, and other relevant concerns.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H. Res. 295, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GOODLATTE. Mr. Speaker, I yield myself such time as I may consume.

I would like to begin by thanking the gentleman from Texas (Mr. AL GREEN) and the gentleman from Missouri (Mr. CLEAVER) for introducing this resolution and commend them for their work on this important issue.

Policing is an inherently dangerous job. Our law enforcement officers deserve our gratitude for the work they do on a daily basis to make sure that our streets are safe, the most helpless in our communities are protected, and those who commit crimes are brought to justice.

I am very concerned that force is used appropriately and that police officers are taking appropriate steps to protect innocent civilians when they make encounters. There is increasing unrest in our urban communities about policing.

I am also concerned with the repeated targeting of our police and law enforcement personnel. Last week, a terror suspect believed to be plotting to behead a Boston officer was killed in a confrontation with Boston police. Last month, two police officers were killed by criminals hoping to become cop killers. Officers Dean and Tate, responding to a routine traffic stop in Hattiesburg, Mississippi, were gunned down by a group of five men.

□ 1730

This comes on the heels of more widely known murders last year of Officers Ramos and Liu in New York, who were reportedly targeted by a man looking to kill a police officer.

It is clear that we must find a better way for our police and citizens to interact both in everyday situations and when more difficult circumstances

arise. In May, the Judiciary Committee held a very informative and productive hearing on policing in the 21st Century, where we looked at many of these issues, including the use of body-worn cameras by police officers.

Body-worn cameras present an opportunity to strengthen police and citizens' interactions, but there are many issues surrounding the use of body-worn cameras that should be addressed by legislators, law enforcement, and the general public before Congress or State legislatures mandate widespread use of this technology.

We must be cognizant of the cost and resources associated not just with outfitting officers with body-worn cameras, but with the regulations, training, and compliance associated with their use. We should also be aware of the costs and privacy implications associated with storing the footage of body-worn cameras.

Police routinely interact with crime victims, including minors, and members of the general public. Would all of these interactions be recorded and stored by law enforcement agencies? For how long? Who would have access to this information? For instance, could it be obtained in a civil suit, a divorce or custody case, or as part of a Freedom of Information Act request?

If an officer exercises his or her discretion to turn off a camera, it is possible the courts would impose an adverse inference against the government if a defendant then argued that something improper happened while the camera was not filming. The courts could also impose an adverse inference if there is a technical or storage glitch that interferes with taping or access to the video.

Society must also decide if it wants this technology recording us on a constant basis. Last week, the President signed the House-passed USA FREEDOM Act into law, which ended bulk metadata collection by the NSA.

We should exercise caution before mandating use of a technology that has the potential to gather and store information about Americans, many of them innocent civilians, based simply on a person's interaction with a police officer.

Body-worn police cameras can serve an important purpose in improving interactions between law enforcement and the general public and be a valuable source of evidence of wrongdoing; but we, as lawmakers and as a society, must ensure that this technology is used appropriately.

We have achieved this before when addressing the use of police dashboard cameras, but we must now do so again in a situation that is potentially much more intrusive.

Several police departments have already begun using body-worn cameras, and various pilot programs are also underway. Their successes and pitfalls will be instructive as we explore expanded use of this technology.

I once again thank the gentleman from Texas for his work on this resolution and also applaud the work of our law enforcement officers nationwide.

I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume.

I rise today to support this resolution and to thank my colleagues for putting forward H. Res. 295, particularly Mr. AL GREEN of Texas and Mr. CLAY and Mr. CLEAVER—both of whom represent the Missouri area—and a number of other Members who have joined in on sponsoring this legislation.

I like this because it is a kick-start to what Members of Congress, Mr. Speaker, have been talking about, and what we have talked about, criminal justice reform.

As we well know, we in the Judiciary Committee are receiving information. We are listening to Members; we are obviously listening to Members who are committed and dedicated, and we are committed to criminal justice reform.

This is the right kind of kick-start to be able to put on minds of individuals that we know that this effort of criminal justice reform requires the communication and cooperation of our law enforcement officers and as well to recognize the vitality and the importance of communities who have argued Black lives matter—or they have just argued that lives matter, which they do.

Let me, first of all, join Mr. GOODLATTE on acknowledging the tragedy of police shootings. Whether or not it was the heinous shootings in New York on two occasions and probably more or whether or not it was a recent incident in Houston, Texas, when a valiant officer was mowed down by a fleeing felon, or any number of incidents that have caught our men and women in the line of fire—and their families have seen their service, their life, and their contributions snuffed out by violence—that is not something that we applaud and we certainly abhor.

I believe the language in this resolution gives us the sense of Congress that allows us to recognize all law enforcement agencies and officers, thanking them for their tireless work to protect us and make our communities safer, and recognize the potential for the use of body-worn cameras by on-duty law enforcement officers, to improve community relations, increase transparency, and protect both citizens and police.

I will assure you that the Judiciary Committee will thoughtfully look at legislation that fits squarely on the framework of this taking into consideration many concerns and encourages State and local law enforcement agencies to consider the use of body-worn cameras, including policies and protocols, to handle privacy, storage, and other relevant issues.

I am glad those are recognized because we are a country of laws, and we recognize the civil liberties and civil rights of all citizens.

As we discuss this legislation, however, I want to emphasize the importance of the timing. It is time for comprehensive policing and criminal justice reform. We are witnessing a sea change unlike many others with support for this great cause spanning the ideological and party divide. We in the Judiciary Committee have spoken about it and are finding common ways to work together.

In the area of policing, the problems revealed by several of the more notorious incidents involving the use of lethal force against unarmed citizens have captured the attention of the Nation over the past few months and demonstrates a critical need for a national response.

Law enforcement officers individually will indicate training is a key element of this. Any response to these tragic events must go hand in hand with a holistic view of criminal justice reform. It will do us no good to be able to point at one group and not try to help another, so I am very grateful that my State, the State of Texas, has contributed to this dialogue and most recently in grand jury reform.

As I have joined with my colleagues to acknowledge and celebrate law enforcement and encourage the move forward on criminal justice reform, I am grateful to again do it today, but we should also look at a vast array of opportunities.

Sentencing and prison reform should be on our agenda. One such proposal would give the Federal Bureau of Prisons the discretion to release nonviolent prisoners who served at least half of their sentence, are 45 or more years old, and who have not been disciplined for a violent offense. This would not only alleviate some prison overcrowding, but it would dip into the $75 billion that we are paying for incarceration.

Congress should also look at the fact in the Federal system that right now we give 47 days for 54 days of good time. If we did one for one, it would be an opportunity to save millions of dollars, at least $41 million; and 4,000 persons would be able to be lifted who would be able to be rehabilitated.

One of the more difficult parts of coming into the criminal justice system is the journey of coming out of it. Where an individual has paid his or her debt, the process of reentering society is paid with tremendous and often insurmountable obstacles.

I have drafted legislation that will allow those with a criminal conviction to have a fair chance to compete for jobs with Federal agencies and contractors. This ''ban the box'' measure delays a potential employer's inquiry into the applicant's criminal history until later in the hiring process. Employers can still ask, but pushing the inquiry into a later stage in the process where you have seen whether this person is ready and able to have a job.

Again, this resolution speaks about our view and affection for our law enforcement and adding more tools. Each of us have had wonderful experiences with those men and women who serve.

Mr. Speaker, the time for comprehensive policing and criminal justice reform has arrived. We are witnessing a sea shift unlike any others, with support for this great cause spanning the ideological and party divide.

In the area of policing, the problems revealed by several of the more notorious incidents involving the use of lethal force against unarmed citizens has captured the attention of the nation over the past few months and demonstrates the critical need for a national response.

And any response to these tragic events must go hand-in-hand with changes to the entirety of our criminal justice system.

As a member of the House Judiciary Committee; as the ranking member of the Subcommittee on Crime, Terrorism, Homeland Security, and Investigations; and as a Representative from Houston, let me extend my thanks to the Congressman from my home state of Texas for contributing to the discussion of this very important and timely issue.

Just as I have joined with him in Houston before—to acknowledge and celebrate law enforcement and to encourage and move forward criminal justice reform—I am grateful to do so again today.

The very fact that this measure is on the floor today is a great indicator that Congress is ready for comprehensive criminal justice and policing reform.

This is why I am looking at reforms that will address all aspects of our criminal justice system and drafting legislation accordingly.

One such proposal would give the Bureau of Prisons discretion to release nonviolent prisoners who have served at least half their sentence, are 45 or more years old, and who have not been disciplined for violent conduct while in prison.

This would would not only alleviate some prison over-crowding, it would result in substantial cost savings by removing the expensive medical care for older prisoners.

By including a clarification of the federal prisoner good time credit law, the cost savings of this proposal is even more significant. Congress intended for all federal prisoners to be eligible for 54 days of good time credit, not 47 days as currently interpreted by the Federal Bureau of Prisons.

This small change—just one week per year—will not only reflect our original intent, it will save at least $41 million annually.

One of the most difficult parts of coming into the criminal justice system is the journey of coming out of it.

For an individual who has paid his or her debt, the process of re-entering society is paved with tremendous, and often insurmountable, obstacles.

I have drafted legislation that will allow those with a criminal conviction to have a fair chance to compete for jobs with federal agencies and contractors. This ''ban-the-box'' measure delays a potential employer's inquiry into the applicant's criminal history until later in the hiring process.

Employers can still ask—but pushing the inquiry until a later stage in the process allows applicants to get a foot in the door and be considered at the early stage on their merits alone.

Many studies, including one released by the Journal of Adolescent Health, demonstrate that the adolescent brain continues to develop as young persons mature well into their 20s. Yet, we begin holding our young offenders accountable as adults when they reach the age of 18, 16, and sometimes even earlier. And we send them off to what many describe as ''criminal college.''

This is why I am developing legislation that will provide judges with new and different options when a young offender comes before them. These options will give judges discretion to tailor a punishment to that young offender's needs.

And, when sending a young offender to prison is necessary, my legislation will ensure that the Bureau of Prisons separates these young offenders out from the rest of the prison population and provides specialized programs for their needs. This will put young offenders on a path for change, not one of crime.

It is not enough to improve the system of criminal justice, we must also address the unnecessary loss of life that can result from police and civilian interactions. Reform must take a step towards increasing trust between our communities and law enforcement.

This is why I am developing legislation that will provide law enforcement agencies with the funding and assistance to put in place the policies, protocols, and training programs in accord with national accreditation standards.

But rebuilding the trust in this relationship also requires greater transparency when government responds to incidents involving the use of lethal force against unarmed citizens.

This is why I have drafted legislation that provides incentives and support for jurisdictions to bring in an independent investigation and prosecution team for an unbiased review of such incidents.

Mr. Speaker, I reserve the balance of my time on this debate.

Mr. GOODLATTE. Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, it is my pleasure at this time to yield 5 minutes to the distinguished gentleman from Texas (Mr. AL GREEN), the author of this legislation.

Mr. AL GREEN of Texas. Mr. Speaker, it is always an honor to stand in the well of the House and have an opportunity to advocate on behalf of the constituents of the Ninth Congressional District. Today is no exception.

Mr. Speaker, I am honored to stand here in support of bipartisan legislation, legislation that encourages law enforcement to use body cameras. This legislation is legislation that I am proud to say has received a good deal of support and a good deal of consideration and deliberation.

I would like to thank the Speaker of the House, Mr. BOEHNER, for his assistance in bringing this legislation forward. Of course, the Honorable NANCY PELOSI must be given kudos as well. I thank her for allowing the legislation to come forward and assisting.

The Democratic whip, Mr. HOYER, I want to thank him because we had a conversation concerning this legislation. Of course, the chairperson of the Judiciary Committee, the Honorable BOB GOODLATTE, he and I have had an opportunity to talk through this legislation, and I am eternally grateful for the consideration that you have given, sir, and I thank you.

I also would like to thank the dean of the House of Representatives, the Honorable JOHN CONYERS. He has been here on so many occasions when legislation that is exceedingly important has been passed upon and has been a voice, a voice on all of these issues through the years. I am proud to say that I had an opportunity to speak to him about this legislation.

Of course, I want to thank Mr. TED POE of Texas. He and I came to Congress together, and we worked together. This is a piece of legislation that he was the first to sign onto, H. Res. 295.

Mr. EMANUEL CLEAVER of Missouri, he and I have worked together to shepherd this from the very beginning, and he is still a part of it. He is not here tonight, but he is with us on this legislation. I am proud to say he is a friend, and he has been a partner throughout the effort to bring this legislation to the floor of the House.

Mr. LUETKEMEYER, he has been a friend in this; Mr. CLAY of Missouri; Mr. YODER of Kansas; and, of course, Ms. CLARKE of New York—all friends and all supportive of this resolution.

Mr. Speaker, this resolution, as has been indicated, is the beginning. I don't see it as the end of a process. I see it as more of a preamble with the Constitution to follow. I see it as a lawyer might see an opening statement with the closing statement yet to come.

Of course, as a Christian, I see it as a part of Genesis, with many revelations yet to come. It is a good first step, and it is a good step in the right direction. I don't see it as the end of the process, but I do want to commend and thank those who have helped us to get to this point.

I would cite now, if I may, a Justice Department report. This report styled ''Police Officer Body-Worn Cameras'' found that body-worn cameras increased transparency. People have the opportunity to see what actually took place. It makes a difference because this will increase police legitimacy.

Officers don't have to get into disputes about what actually occurred. The empirical evidence is there by way of the camera's eye.

It will improve citizen and police behavior. Once the camera is on and once people know that it is on—that is both citizens and police officers—their behavior tends to be adjusted such that we get better results.

It will improve effective prosecution. This is evidence that can be introduced into court. When it is introduced, it can help effectuate positive results.

Another study, a study from the University of Cambridge, its Institute of Criminology, after a 12-month study, found a 50 percent reduction in the use of force as a result of body cameras, a 50 percent reduction in use of force, a 90 percent reduction in complaints against police officers as a result of body cameras being utilized.

Of course, there is a final study that I will cite in Rialto, California. This

report from Rialto, California, indicates that, after 1 year of use of body cameras, there was a 60 percent reduction in the use of force and an 88 percent reduction in complaints against police officers.

The evidence is in. It is clear that these body cameras do provide an opportunity for us to have the transparency we need, for us to provide legitimacy for both police officers and citizenry but, more importantly, to reduce the complaints that we see emanating from scenes that are disputed.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. JACKSON LEE. I yield the gentleman an additional 2 minutes.

□ 1745

Mr. AL GREEN of Texas. Mr. Speaker, as I indicated, we see a reduction in complaints. As we view the many incidents that have occurred around the country, there is no question that there is a divide. I believe that these body cameras can span the chasm across the divide and make a difference in the perception that we have in the way our police and our communities interact with each other.

I am proud to be a sponsor, and I am proud to have the cosponsors that we have. I am proud that the chairperson of the Judiciary Committee has signed onto this and that the ranking member of the Judiciary Committee is on board.

I want to thank my colleague from Houston, Texas, the Honorable SHEILA JACKSON LEE, who has served on the Judiciary Committee for many, many years, and I am most appreciative that she, too, finds favor with this piece of legislation. I am honored that she is on the floor tonight to shepherd it through, and I pray that my colleagues all will support what I believe to be a piece of legislation that can span the chasm between the police and the community in a most positive way.

Mr. GOODLATTE. Mr. Speaker, I have no speakers remaining, and I am prepared to yield back.

I reserve the balance of my time.

Ms. JACKSON LEE. Mr. Speaker, I yield myself such time as I may consume as I am the final speaker.

First of all, I thank the gentleman from Texas for his very eloquent explanation of this legislation. Let me add my appreciation as well to Chairman GOODLATTE, to Ranking Member CONYERS, and to Chairman SENSENBRENNER. It is certainly my pleasure to manage and to work with this legislation, in the purpose of this legislation.

I close with just a few points that I feel compelled to comment on. As I do so, I am not giving all of the names of those fallen. As I have indicated, we tragically buried an HPD officer just a couple of weeks ago and, of course, officers in Mississippi, officers in New Mexico, in Omaha, Nebraska, and in Pennsylvania, among others. We recognize that we are challenged and that we must find that common ground. Again, I note that this kick start will help us to look at comprehensive criminal justice reform.

Let me just add one last point on the young offenders issue that may be somewhat similar to the video that has now imploded across the airwaves of America in McKinney, Texas. One study dealing with young offenders or individual adolescents includes a report by the Journal of Adolescent Health which demonstrates that the adolescent brain continues to develop as young persons mature well into their twenties; yet we begin holding our young offenders accountable as adults when they reach the age of 18 and sometimes earlier, and we send them off to what many describe as a criminal college. So I am hoping that we will have legislation that can address by science the concept, if you will, of how we treat those from 18 to 24.

This legislation allows us to build on policing and community trust. I am looking forward to working with law enforcement agencies with the funding and assistance to put in place the policies and protocols dealing with training, deescalation, accreditation. That is, of course, something that we hope to be working on with the full Judiciary Committee.

There are some stark differences of treatment between two cities—the city of Charleston, South Carolina, where a tragic incident occurred and where the city responded immediately, and the city of Cleveland, where a tragic incident occurred and where the city did not respond immediately.

Then, this past weekend, we saw confusing footage, I think, that dealt with teenagers at a pool party. We know that police were called. We know that this party was, really, a party of girls who happened to be African American, and we understand that some boys, who tend to like to find girls, came and may have caused somewhat of a disturbance. The reason I think it is important as we discuss this legislation is that the bill does indicate our appreciation for law enforcement. My words say that this will allow us to kickstart and look at issues where we can work together to get along. But as the video indicates, we see a scattering of young people, and we see a number of foul-mouthed comments being made coming from one particular officer. They are quotes I will not offer to repeat on this floor.

I submit for the RECORD, Mr. Speaker, an article from The Atlantic as, I think, this is a testament to how we can work to avoid this kind of public incident.

[From the Atlantic, June 8, 2015]

(By Yoni Appelbaum)

On Friday, a large group of teens gathered for a pool party in the city of McKinney, Texas. Shortly thereafter, someone called the police. And by Sunday night, as footage of the police response spread across the internet, the McKinney Police Department announced it was placing Eric Casebolt, the patrol supervisor shown in the video, on administrative leave.

It is the latest in a string of incidents of police using apparently excessive force against African Americans that has captured public attention. And it took place at a communal pool—where, for more than a century, conflicts over race and class have often surfaced.

The video shows a foul-mouthed police corporal telling the young men he encounters to get down, and the young women to take off, although far more obscenely. When several seated young men appear to ask, politely, for permission to leave, he explodes at them: ''Don't make me fucking run around here with thirty pounds of goddamn gear in the sun because you want to screw around out here.'' The corporal was white. The young people he detained were, almost without exception, black.

The video next shows him repeatedly cursing at a group of young women, telling them to move on. Then he wrestles one to the ground. As bystanders react in horror, and several rush toward the young woman as if to her assistance, he draws his sidearm. They flee. He returns to the teenager, wrestles her back down, forces her face into the ground, and places both knees on her back.

The McKinney police said, in a statement, that they were called to respond to the Craig Ranch North Community Pool for a report of ''a disturbance involving multiple juveniles at the location, who do not live in the area or have permission to be there, refusing to leave.'' They added that additional calls reported fighting, and that when the crowd refused to comply with the first responding officers, nine additional units were deployed.

The mayor, Brian Loughmiller, described himself as ''disturbed and concerned,'' and the police chief vowed ''a complete, and thorough, investigation.''

Like many flourishing American suburbs, McKinney has struggled with questions of equity and diversity. The city is among the fastest-growing in America, and its residents hail from a wide range of backgrounds. Formal, legal segregation is a thing of the past. Yet stark divides persist.

In 2009, McKinney was forced to settle a lawsuit alleging that it was blocking the development of affordable housing suitable for tenants with Section 8 vouchers in the more affluent western portion of the city. East of Highway 75, according to the lawsuit, McKinney is 49 percent white; to its west, McKinney is 86 percent white. The plaintiffs alleged that the city and its housing authority were ''willing to negotiate for and provide low-income housing units in east McKinney, but not west McKinney, which amounts to illegal racial steering.''

All three of the city's public pools lie to the east of Highway 75. Craig Ranch, where the pool party took place, lies well to its west. BuzzFeed reports that the fight broke out when an adult woman told the teens to go back to ''Section 8 housing.''

Craig Ranch North is the oldest residential portion of a 2,200 acre master-planned community. ''The neighborhood is made up of single-family homes,'' says the developer's website, ''and includes a community center with two pools, a park and a playground.'' Private developments like Craig Ranch now routinely include pools, often paid for by dues to homeowners' associations, and governed by their rules. But that, in itself, represents a remarkable shift.

At their inception, communal swimming pools were public, egalitarian spaces. Most early public pools in America aimed more for hygiene than relaxation, open on alternate days to men and women. In the North, at least, they served bathers without regard for race. But in the 1920s, as public swimming

pools proliferated, they became sites of leisure and recreation. Alarmed at the sight of women and men of different races swimming together, public officials moved to impose rigid segregation.

As African Americans fought for desegregation in the 1950s, public pools became frequent battlefields. In Marshall, Texas, for example, in 1957, a young man backed by the NAACP sued to force the integration of a brand-new swimming pool. When the judge made it clear the city would lose, citizens voted 1,758–89 to have the city sell all of its recreational facilities rather than integrate them. The pool was sold to a local Lions' Club, which was able to operate it as a whites-only private facility.

The decisions of other communities were rarely so transparent, but the trend was unmistakable. Before 1950, Americans went swimming as often as they went to the movies, but they did so in public pools. There were relatively few club pools, and private pools were markers of extraordinary wealth. Over the next half-century, though, the number of private in-ground pools increased from roughly 2,500 to more than four million. The declining cost of pool construction, improved technology, and suburbanization all played important roles. But then, so did desegregation. As historian Jeff Wiltse argues in his 2007 book, Contested Waters: A Social History of Swimming Pools in America:

Although many whites abandoned desegregated public pools, most did not stop swimming. Instead, they built private pools, both club and residential, and swam in them. . . . Suburbanites organized private club pools rather than fund public pools because club pools enabled them to control the class and racial composition of swimmers, whereas public pools did not.

Today, that complicated legacy persists across the United States. The public pools of mid-century—with their sandy beaches, manicured lawns, and well-tended facilities—are vanishingly rare. Those sorts of amenities are now generally found behind closed gates, funded by club fees or homeowners' dues, and not by tax dollars. And they are open to those who can afford to live in such subdivisions, but not to their neighbors just down the road.

Whatever took place in McKinney on Friday, it occurred against this backdrop of the privatization of once-public facilities, giving residents the expectation of control over who sunbathes or doggie-paddles alongside them. Even if some of the teens were residents, and others possessed valid guest passes, as some insisted they did, the presence of ''multiple juveniles . . . who do not live in the area'' clearly triggered alarm. Several adults at the pool reportedly placed calls to the police. And none of the adult residents shown in the video appeared to manifest concern that the police response had gone too far, nor that its violence was disproportionate to the alleged offense.

To the contrary. Someone placed a sign by the pool on Sunday afternoon. It read, simply: ''Thank you McKinney Police for keeping us safe.''

Ms. JACKSON LEE. Mr. Speaker, this is not dealing with a vast group of protesters, which, ultimately, did occur in the last 24 hours in that area. This is dealing with youngsters. Many of us raise children and send them to pools and various camps, and we hope they will be well, but this is understanding the whole level of law enforcement. Again, I believe it is time for the Congress to re-create the criminal justice system.

Juveniles are naturally fearful of authority and lack maturity when faced with fearful events. Running is the natural instinct of most youth, and in this case, the youth attempted to leave when the police approached to disperse the crowd. Then the police chased, shooting a Taser. When the officer confronted the young girl with aggression, other youth attempted to help her—that is, teenagers—who were also threatened with force by the officers. These children received mixed messages. Establishing trusting relationships between youth and police officers is of the utmost responsibility.

What I would say is that the outrage and the expressions of a community and parents came about because we were not talking to each other, because actions did not track what those young people were doing in McKinney. They were being teenagers. They were running. They may have had the incidences of misbehavior, and, frankly, they could have been handled in a way that the misbehavior could have been addressed.

Why now?

Again, I opened with the remarks that we now have an opportunity to kick-start this wonderful discussion of criminal justice reform. Wonderful? Yes, because, in America, we are a nation of civilians and law. The civilian law enforcement is made up of those who implement those laws, but the Constitution reigns as well. I look forward to working with the chairman and the ranking member and all of the Members of this body and the Judiciary Committee for a very constructive journey on letting the American people know that we hear their pain, that we respect those who uphold the law, and that we are going to work constructively to do that.

I left Houston while talking to a police officer. I know he is not listening, but let me just simply say thank you for the service that you give. Hopefully, he will hear this and will know that we are committed to working together in this Congress. I ask my colleagues to support House Resolution 295.

I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, in closing, I want to thank the gentleman from Texas (Mr. AL GREEN) and the gentleman from Missouri (Mr. CLEAVER) for their hard work on this, for coming to see me and others on our side of the aisle about this important issue, and for working with us on getting the language straight in this resolution in order to make sure that we are properly encouraging this exploration while also taking into account the issues that arise with the use of body cameras.

I want to thank the ranking member and the former chairman of the Judiciary Committee, Mr. CONYERS, and the ranking member of the subcommittee, Ms. JACKSON LEE, for their work on this as well. I also want to thank all of the staff involved.

This is an important issue, and it will help to inform us as we move ahead on a number of issues related to criminal justice reform. I urge my colleagues to support the resolution.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and agree to the resolution, H. Res. 295.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. JACKSON LEE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 54 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 6 o'clock and 30 minutes p.m.

COMMODITY END-USER RELIEF ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on passage of the bill (H.R. 2289) to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, to help keep consumer costs low, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the passage of the bill.

The vote was taken by electronic device, and there were—yeas 246, nays 171, not voting 15, as follows:

[Roll No. 309]

YEAS—246

Abraham	Black	Carter (GA)
Aderholt	Blackburn	Carter (TX)
Allen	Blum	Chabot
Amash	Bost	Chaffetz
Amodei	Boustany	Clawson (FL)
Ashford	Brady (TX)	Coffman
Babin	Brat	Cole
Barletta	Bridenstine	Collins (GA)
Barr	Brooks (AL)	Collins (NY)
Barton	Brooks (IN)	Comstock
Benishek	Buchanan	Conaway
Bilirakis	Bucshon	Cook
Bishop (GA)	Burgess	Costa
Bishop (MI)	Byrne	Costello (PA)
Bishop (UT)	Calvert	Cramer

Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Katko
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—171

Aguilar
Beatty
Becerra
Bera
Beyer
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—15

Adams
Bass
Buck
Cárdenas
Cleaver
DeFazio
Doggett
Duncan (TN)
Fincher
Lamborn
Lujan Grisham (NM)
Lummis
Maloney, Carolyn
Vargas
Woodall

□ 1857

Messrs. CARNEY, HUFFMAN, CUMMINGS, Ms. PELOSI, Mr. VEASEY, and Mrs. BEATTY changed their vote from ''yea'' to ''nay.''

Messrs. GIBSON, DUNCAN of South Carolina, and COSTA changed their vote from ''nay'' to ''yea.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Ms. MICHELLE LUJAN GRISHAM of New Mexico. Mr. Speaker, on rollcall No. 309, had I been present, I would have voted ''no.''

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 4, 2015.

Hon. JOHN BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from The Honorable C. Delbert Hosemann, Jr., Mississippi Secretary of State, indicating that, according to the preliminary results of the Special Election held June 2, 2015, the Honorable Trent Kelly was elected Representative to Congress for the First Congressional District, State of Mississippi.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk.

Enclosure.

Re Unofficial Results—First Congressional Special Runoff Election

KAREN L. HAAS,
House of Representatives, Washington, DC.

DEAR MS. HAAS, Per your request, enclosed please find a copy of unofficial results for the Special Runoff Election held on Tuesday, June 2, 2015, for Representative in Congress from the First Congressional District of Mississippi. To the best of our knowledge and belief at this time, there is no challenge to this election. The State of Mississippi does not require nor receive ''unofficial results'' from all counties and, at this time, we have only received unofficial results from four (4) counties. The attached numbers were obtained through The Daily Journal, Tupelo, Mississippi. The outcome of the election does not appear in doubt and we anticipate Mr. Trent Kelly will be certified.

The deadline for counties included in the First Congressional District to transmit certified election results to our office is 5:00 p.m. on June 12, 2015. As soon as the official results are certified to this office by all counties involved, an official Certificate of Election will be prepared for transmittal as required by law.

If you have any questions or need additional information, please call Kim Turner, Assistant Secretary of State at (601) 359–5137 or Amanda Frusha, Director of Elections Compliance at (601) 359–5213.

Sincerely,

C. DELBERT HOSEMANN, Jr.,
Mississippi Secretary of State.

SWEARING IN OF THE HONORABLE TRENT KELLY, OF MISSISSIPPI, AS A MEMBER OF THE HOUSE

Mr. THOMPSON of Mississippi. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi, the Honorable TRENT KELLY, be permitted to take the oath of office today.

His certificate of election has not arrived, but there is no contest and no question has been raised with regard to his election.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The SPEAKER. Will the Representative-elect and the members of the Mississippi delegation present themselves in the well.

All Members will rise and the Representative-elect will please raise his right hand.

Mr. KELLY of Mississippi appeared at the bar of the House and took the oath of office, as follows:

Do you solemnly swear that you will support and defend the Constitution of the United States against all enemies, foreign and domestic; that you will bear true faith and allegiance to the same; that you take this obligation freely, without any mental reservation or purpose of evasion; and that you will well and faithfully discharge the duties of the office on which you are about to enter, so help you God.

The SPEAKER. Congratulations, you are now a Member of the 114th Congress.

WELCOMING THE HONORABLE TRENT KELLY TO THE HOUSE OF REPRESENTATIVES

The SPEAKER. Without objection, the gentleman from Mississippi (Mr. THOMPSON) is recognized for 1 minute.

There was no objection.

Mr. THOMPSON of Mississippi. Mr. Speaker, friends and colleagues, I have the honor of welcoming the new representative from Mississippi's First Congressional District. For me, that means he will be representing the neighboring district in the northeast corner of the State, which most of you are familiar with; but also, for others, this means that he will be representing the birthplace of Elvis Presley.

TRENT KELLY is from the little-known town of Saltillo, Mississippi. The local folk call it Salt-illo, population 3,393. He knows the district well, having served as district attorney for the largest judicial district in that area. Representative KELLY has also served in our Nation's military and has spent 29 years in the Mississippi National Guard.

Representative KELLY will be serving out the term of our dear former colleague Alan Nunnelee, who passed away in February. As he steps into his seat, we hope that he will follow Alan's example of service and dedication to the people of Mississippi.

Our colleague GREGG HARPER will now join me in welcoming our friend from Lee County, Mississippi.

Mr. HARPER. Mr. Speaker, it is my great honor and pleasure to welcome the newest Member of this body, Congressman TRENT KELLY.

I am confident that TRENT KELLY will carry on the legacy of his predecessor, our late colleague, Representative Alan Nunnelee, one of impeccable constituent services and an unyielding commitment to this country and her citizens.

I look forward to working with Representative KELLY as he serves the First Congressional District and the people of the great State of Mississippi.

Congressman, I am so honored to stand here and welcome you to the floor of the House of Representatives.

TRENT KELLY.

Mr. KELLY of Mississippi. Mr. Speaker, I thank Congressman THOMPSON, Congressman HARPER, and the rest of the Mississippi delegation; and, most importantly, thank you, God.

I would also like to thank Senator WICKER and Senator COCHRAN, who are present.

Thank you to my family, which would include my mother and my wife and my three children and my brother, who cannot be here.

Thank you to my friends who are in the gallery above.

Thank you to the citizens of the First Congressional District of Mississippi and to my fellow Members.

I am humbled and honored to be able to serve this great Nation in this capacity.

Thank you, and God bless you, each and every one.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath to the gentleman from Mississippi, the whole number of the House is 434.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The SPEAKER pro tempore (Mr. EMMER of Minnesota). Pursuant to House Resolution 287 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2577.

Will the gentleman from North Carolina (Mr. HOLDING) kindly take the chair.

□ 1907

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. HOLDING (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, June 4, 2015, an amendment offered by the gentlewoman from Connecticut (Ms. ESTY) had been disposed of, and the bill had been read through page 156, line 15.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 7 by Mrs. BLACKBURN of Tennessee.

Amendment by Mr. GOSAR of Arizona.

Amendment by Mr. GOSAR of Arizona.

Amendment by Mr. POSEY of Florida.

Amendment by Mr. SESSIONS of Texas.

Amendment by Mr. SESSIONS of Texas.

Amendment by Mr. SCHIFF of California.

Amendment by Mr. POSEY of Florida.

Amendment by Mr. POSEY of Florida.

The Chair will reduce to 2 minutes the time of any electronic vote in this series.

AMENDMENT NO. 7 OFFERED BY MRS. BLACKBURN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 163, noes 259, not voting 11, as follows:

[Roll No. 310]

AYES—163

Allen
Amash
Babin
Barr
Barton
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Cooper
Crawford
Culberson
DeSantis
DesJarlais
Duffy
Duncan (SC)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kline
Knight
Labrador
LaMalfa
Lance
Latta
Long
Loudermilk
Love
Lucas
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mulvaney
Murphy (PA)
Neugebauer
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Roe (TN)
Rogers (AL)
Rohrabacher
Rokita
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shuster
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Thornberry
Upton
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Yoho
Young (IA)
Young (IN)
Zinke

NOES—259

Abraham
Aderholt
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Comstock
Connolly
Conyers
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Dold

Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Granger
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
McSally
Meehan
Meeks
Meng
Moore
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Posey
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Richmond
Rigell
Roby
Rogers (KY)
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Westmoreland
Whitfield
Wilson (FL)
Womack
Yarmuth
Yoder
Young (AK)
Zeldin

NOT VOTING—11

Adams
Buck
Cárdenas
Cleaver
DeFazio
Doggett
Duncan (TN)
Fincher
Lamborn
Maloney, Carolyn
Woodall

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1911

Mr. BARR changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GOSAR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GOSAR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 229, noes 193, not voting 11, as follows:

[Roll No. 311]

AYES—229

Abraham
Aderholt
Allen
Amash
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Trott
Turner
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—193

Aguilar
Amodei
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meadows
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Tsongas
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (AK)

NOT VOTING—11

Adams
Buck
Cárdenas
Cleaver
DeFazio
Doggett
Duncan (TN)
Fincher
Lamborn
Maloney, Carolyn
Woodall

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1916

Mr. SERRANO changed his vote from ''aye'' to ''no.''

Mr. MEEHAN changed his vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GOSAR

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GOSAR) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 136, noes 286, not voting 11, as follows:

[Roll No. 312]

AYES—136

Abraham
Aderholt
Allen
Amash
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Cook
DeSantis
DesJarlais
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Fleischmann
Fleming
Flores
Franks (AZ)
Gibbs
Gohmert
Gosar
Gowdy
Graves (GA)
Graves (LA)
Grothman
Guinta
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurd (TX)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Labrador
LaMalfa
Latta
Long
Loudermilk
Love
Luetkemeyer
Lummis
Marchant
Massie
McCaul
McClintock
McHenry
Meadows
Messer
Mica
Miller (FL)
Moolenaar
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Renacci
Rice (SC)
Roe (TN)
Rogers (AL)
Rohrabacher
Rooney (FL)
Ross
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sessions
Smith (MO)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Tipton
Wagner
Walberg
Walker
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Yoder
Yoho
Young (IN)
Zinke

NOES—286

Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blum
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Burgess
Bustos
Butterfield
Calvert
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibson
Goodlatte
Graham
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Gutiérrez
Hahn
Hanna
Hastings
Heck (WA)
Herrera Beutler
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hurt (VA)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Marino
Matsui
McCarthy
McCollum
McDermott
McGovern
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Miller (MI)
Mooney (WV)
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nugent
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pitts
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Ribble
Rice (NY)
Richmond
Rigell
Roby
Rogers (KY)
Rokita
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thornberry
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Wittman
Womack
Yarmuth
Young (AK)
Young (IA)
Zeldin

NOT VOTING—11

Adams
Buck
Cárdenas
Cleaver
DeFazio
Duncan (TN)
Fincher
Granger
Lamborn
Maloney, Carolyn
Woodall

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1919

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. POSEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. POSEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 163, noes 260, not voting 10, as follows:

[Roll No. 313]

AYES—163

Abraham
Aderholt
Allen
Amash
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Burgess
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Dent
DeSantis
DesJarlais
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Fleming
Flores
Forbes
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Griffith
Grothman
Guinta
Guthrie
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kline
Knight
Labrador
LaMalfa
Latta
Long
Loudermilk
Love
Luetkemeyer
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Miller (FL)
Miller (MI)
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Neugebauer
Noem
Nugent
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Renacci
Ribble
Roby
Roe (TN)
Rooney (FL)
Roskam
Rothfus
Royce
Russell
Ryan (WI)
Salmon
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Trott
Wagner
Walberg
Walden
Walker
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOES—260

Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Comstock
Connolly
Conyers
Cooper
Costa
Courtney
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Fortenberry
Foster
Foxx

Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McNerney
Meehan
Meeks
Meng
Mica
Moolenaar
Moore
Moulton
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Rourke
Palazzo
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Rice (NY)
Rice (SC)
Richmond
Rigell
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Ross
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walorski
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Yarmuth
Yoder
Zeldin

NOT VOTING—10

Adams
Buck
Cárdenas
Cleaver
DeFazio
Duncan (TN)
Fincher
Lamborn
Maloney, Carolyn
Woodall

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1923

Mr. COLE changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SESSIONS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SESSIONS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 205, noes 218, not voting 10, as follows:

[Roll No. 314]

AYES—205

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Costello (PA)
Crawford
Crenshaw
Culberson
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Trott
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)

NOES—218

Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Comstock
Connolly
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Harper
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Rice (NY)
Richmond
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Westerman
Wilson (FL)
Womack
Yarmuth
Zeldin
Zinke

NOT VOTING—10

Adams
Buck
Cárdenas
Cleaver
DeFazio
Duncan (TN)
Fincher
Lamborn
Maloney, Carolyn
Woodall

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1926

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SESSIONS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. SESSIONS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 237, not voting 10, as follows:

[Roll No. 315]

AYES—186

Abraham
Aderholt
Allen
Amash
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Costello (PA)
Crawford
Crenshaw
Culberson
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Guinta
Guthrie
Hardy
Harris
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Kelly (MS)
King (IA)
Kline
Knight
Labrador
LaMalfa
Latta
Long
Loudermilk
Love
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Trott
Valadao
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)

NOES—237

Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Calvert
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Comstock
Connolly
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Gutiérrez
Hahn
Hanna
Harper
Hartzler
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meeks
Meng
Moolenaar
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Rice (NY)
Richmond
Ros-Lehtinen
Ross
Rothfus
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Tsongas
Turner
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Westerman
Whitfield
Wilson (FL)
Yarmuth
Zeldin
Zinke

NOT VOTING—10

Adams
Buck
Cárdenas
Cleaver
DeFazio
Duncan (TN)
Fincher
Lamborn
Maloney, Carolyn
Woodall

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1930

Mrs. BROOKS of Indiana changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. SCHIFF

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. SCHIFF) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 157, noes 266, not voting 10, as follows:

[Roll No. 316]

AYES—157

Aguilar
Ashford
Bass
Beatty
Becerra
Beyer
Bishop (GA)
Blum
Blumenauer
Bonamici
Boyle, Brendan F.
Brooks (AL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clay
Clyburn
Connolly
Conyers
Cooper
Courtney
Crowley
Culberson
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Duncan (SC)
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Foster
Frankel (FL)
Franks (AZ)
Fudge
Gabbard
Gallego
Garamendi
Grayson
Green, Gene
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jones
Jordan
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lee
Levin
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Massie
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Newhouse
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Peters
Peterson
Pocan
Polis
Price (NC)
Quigley
Rangel
Richmond
Roybal-Allard
Ruiz
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Tsongas
Van Hollen
Vargas
Velázquez
Visclosky
Walz
Wasserman Schultz
Welch
Whitfield
Yoho
Zeldin

NOES—266

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Boustany
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Brown (FL)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Chabot
Chaffetz
Clarke (NY)
Clawson (FL)
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Cummings
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Ellmers (NC)
Emmer (MN)
Farenthold
Fattah
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Griffith
Grijalva
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam

Jolly
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lance
Larsen (WA)
Latta
Lawrence
Lewis
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Maloney, Sean
Marchant
Marino
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Mullin
Mulvaney
Murphy (PA)
Neal
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Pingree
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Ruppersberger
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Takai
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Torres
Trott
Turner
Upton
Valadao
Veasey
Vela
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yarmuth
Yoder
Young (AK)
Young (IA)
Young (IN)
Zinke

NOT VOTING—10

Adams
Buck
Cárdenas
Cleaver
DeFazio
Duncan (TN)
Fincher
Lamborn
Maloney, Carolyn
Woodall

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1934

Messrs. CONYERS, JORDAN, and GUTIÉRREZ changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. POSEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. POSEY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 148, noes 275, not voting 10, as follows:

[Roll No. 317]

AYES—148

Abraham
Allen
Amash
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Burgess
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Collins (NY)
Conaway
Cook
Crawford
DeSantis
DesJarlais
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Fleming
Flores
Franks (AZ)
Garrett
Gohmert
Gosar
Gowdy
Graves (GA)
Guinta
Guthrie
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kline
Knight
Labrador
LaMalfa
Latta
LoBiondo
Long
Loudermilk
Love
Luetkemeyer
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
Meadows
Messer
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (FL)
Neugebauer
Noem
Nugent
Olson
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Renacci
Rice (SC)
Roe (TN)
Rohrabacher
Rooney (FL)
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Trott
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Womack
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)

NOES—275

Aderholt
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Goodlatte
Graham
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McKinley
McMorris Rodgers
McNerney
McSally
Meehan
Meeks
Meng
Mica
Moore
Moulton
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Nunes
O'Rourke
Palazzo
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Ribble
Rice (NY)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rokita
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Wittman
Yarmuth
Zeldin
Zinke

NOT VOTING—10

Adams
Buck
Cárdenas
Cleaver
DeFazio
Duncan (TN)
Fincher
Lamborn
Maloney, Carolyn
Woodall

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1939

Mr. FORBES changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. POSEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. POSEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 134, noes 287, not voting 12, as follows:

[Roll No. 318]

AYES—134

Abraham
Allen
Amash
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Burgess
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Collins (GA)
Conaway
Cook
Crawford
DeSantis
DesJarlais
Duffy
Duncan (SC)
Ellmers (NC)
Emmer (MN)
Fleming
Flores
Franks (AZ)
Garrett
Gohmert
Gosar
Gowdy
Graves (GA)
Guinta
Guthrie
Harris
Hartzler
Hensarling
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hunter
Hurt (VA)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
King (IA)
Kline
Knight
LaMalfa
Latta
Long
Loudermilk
Love
Luetkemeyer
Lummis
Marchant
Massie
McCarthy
McClintock
McHenry
Meadows
Messer
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Nugent
Olson
Palmer
Paulsen
Pearce
Pittenger
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Renacci
Roe (TN)
Rohrabacher
Rooney (FL)
Rothfus
Rouzer
Royce
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Smith (MO)
Smith (NE)
Smith (TX)
Stewart
Stutzman
Tipton
Trott
Wagner
Walberg
Walden
Walker
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Yoder
Yoho
Young (IA)

NOES—287

Aderholt
Aguilar
Amodei
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Cole
Collins (NY)
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fitzpatrick
Fleischmann
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibbs
Gibson
Goodlatte
Graham
Granger
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Gutiérrez
Hahn
Hanna
Hardy
Harper
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hultgren
Hurd (TX)
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Labrador
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lucas
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Marino
Matsui
McCaul
McCollum
McDermott
McGovern
McKinley
McNerney
McSally
Meehan
Meeks
Meng
Mica
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
Palazzo
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pitts
Pocan
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Rogers (AL)
Rogers (KY)
Rokita
Ros-Lehtinen
Roskam
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Wittman
Womack
Yarmuth
Young (AK)
Young (IN)
Zeldin
Zinke

NOT VOTING—12

Adams
Buck
Cárdenas
Cleaver
DeFazio
Duncan (TN)
Fincher
Lamborn
Maloney, Carolyn
McMorris Rodgers
O'Rourke
Woodall

□ 1944

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. LAMBORN. Madam Chair, I was unavoidably detained on account of a flight delay. Had I been present I would have voted "aye" on rollcall vote 309, "aye" on rollcall vote 310, "aye" on rollcall vote 311, "aye" on rollcall vote 312, "aye" on rollcall vote 313, "aye" on rollcall vote 314, "aye" on rollcall vote 315, "nay" on rollcall vote 316, "aye" on rollcall vote 317, and "aye" on rollcall vote 318.

Mr. DIAZ-BALART. Madam Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HULTGREN) having assumed the chair, Ms. ROS-LEHTINEN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, had come to no resolution thereon.

□ 1945

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2685, DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2016, AND PROVIDING FOR CONSIDERATION OF H.R. 2393, COUNTRY OF ORIGIN LABELING AMENDMENTS ACT OF 2015

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 114–145) on the resolution (H. Res. 303) providing for consideration of the bill (H.R. 2685) making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes, and providing for consideration of the bill (H.R. 2393) to amend the Agricultural Marketing Act of 1946 to repeal country of origin labeling requirements with respect to beef, pork, and chicken, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 198

Mr. YOHO. Mr. Speaker, I ask unanimous consent that Congressman AMASH be removed as a cosponsor of H. Res. 198.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

GENERAL LEAVE

Mr. DIAZ-BALART. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to include extraneous material on H.R. 2577, and that I may include tabular material on the same.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 287 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2577.

Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) kindly resume the chair.

□ 1949

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2577) making appropriations for the Departments of Transportation and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with Ms. ROS-LEHTINEN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, an amendment offered by the gentleman from Florida (Mr. POSEY) had been disposed of, and the bill had been read through page 156, line 15.

Mr. DIAZ-BALART. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Madam Chair, I yield to the gentleman from New Jersey (Mr. FRELINGHUYSEN) for the purpose of a colloquy.

Mr. FRELINGHUYSEN. I thank the chairman for yielding, and I thank him for his great work on this appropriations bill.

Madam Chairman, for over 20 years I have been a staunch advocate for reducing aircraft noise over northern New Jersey. I have attended dozens of public hearings and meetings with officials from the FAA and responded to thousands of calls from constituents whose lives have been affected by increased aircraft noise.

While the safety of airplane passengers is paramount and the vitality of our air transport system is important, people on the ground have a right to a quality of life with a minimum exposure to air noise overhead.

Despite spending over $70 million in taxpayer dollars on the New York, New Jersey, and Philadelphia airspace redesign project, time and time again the Federal Aviation Administration has turned a deaf ear to the tremendous impact air noise has had over northern New Jersey. I recently wrote two letters to the FAA to bring my constituent concerns directly to Administrator Michael Huerta's attention. To date, these letters and my constituents' pleas for help have gone unanswered.

As the FAA proceeds with the New York, New Jersey, and Philadelphia airspace redesign, they must factor air noise into their calculations. I look forward to working with the chairman to ensure that this is done.

I thank the gentleman for yielding.

Mr. DIAZ-BALART. I want to again thank the gentleman for raising this important issue. I appreciate his dedication to ensuring that his constituents' air noise concerns are adequately addressed by the FAA.

Again, I thank the gentleman, and I yield back the balance of my time.

AMENDMENT OFFERED BY MS. MAXINE WATERS OF CALIFORNIA

Ms. MAXINE WATERS of California. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 4____. None of the funds made available by this Act may be used to establish any asset management position (including any account executive, senior account executive, and troubled asset specialist position, as such positions are described in the Field Resource Manual (Wave 1) entitled ''Transformation: Multifamily for Tomorrow'' of the Department of Housing and Urban Development) of the Office of Multifamily Housing of the Department of Housing and Urban Development, or newly hire an employee for any asset management position, that is located at a Core office (as such term is used in such Field Resource Manual) before filling each such asset management position that is located at a Non-Core office (as such term is used in such Field Resource Manual) and has been vacated since October 1, 2015.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. MAXINE WATERS of California. Madam Chair, I rise to offer an amendment regarding HUD's multifamily transformation plan. I will ultimately withdraw this amendment because I know that there will be Republican opposition, but I think it is important for me to speak out against the ill-advised plan.

The Department of Housing and Urban Development is currently in the process of a major consolidation of its multifamily offices, which it has dubbed the multifamily transformation plan. I have been vocal in my skepticism of HUD's assurances that this plan will bring about significant savings without impacting program delivery.

In fact, last year this House approved an amendment to the fiscal year 2015 appropriations bill that required HUD to follow a transformation plan that maintains asset management staff in its field offices. I fought for this amendment because I believe strongly that HUD's plan to consolidate the important function of asset management from 17 hubs overseeing 50 field offices into just 5 hub locations and 7 satellite offices would significantly impair program delivery without resulting in significant cost savings.

Asset management is a hands-on job which calls for an intimate knowledge of the local housing market and frequently requires staff to make on-site visits to troubled properties. That is why it is so important to have asset management staff in local field offices to respond to local needs.

Unfortunately, I have been hearing from advocates that HUD has been failing to replace vacancies in asset management positions in field offices and is only hiring new asset management staff in hub locations. This is unacceptable. There are already two field offices that have completely shuttered because they have no working staff. In Los Angeles, we have already lost 15 asset management staff who have not been replaced.

My amendment would ensure that HUD prioritizes the hiring of asset management staff in local field offices for vacancies that occur in the next fiscal year instead of continuing to consolidate this important function to a select few hub and satellite locations. It would help ensure that our multifamily field offices remain open and operating at current staffing levels. Without this amendment, local multifamily offices will continue to have more vacancies that go unfilled.

I regretfully ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentlewoman from California?

There was no objection.

AMENDMENT OFFERED BY MR. YOHO

Mr. YOHO. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used in contravention of subpart E of part 5 of the regulations of the Secretary of Housing and Urban Development (24 C.F.R. Part 5, Subpart E; relating to restrictions on assistance to noncitizens).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. YOHO. Madam Chair, my amendment simply ensures that no funds can be used to circumvent current law which prevents illegal immigrants from obtaining housing assistance. Spending should be prioritized based on the needs of American taxpaying citizens, not those who are residing in our country illegally.

Constituents back in my district and throughout the country work hard every day, and their needs should not play second fiddle to those of immigrants who broke our laws and came into this country illegally.

With the continued efforts by some in this country to disregard the rule of law, much to the detriment of taxpaying Americans, I truly believe this amendment is necessary to clarify and reinforce the intent of Congress as it pertains to housing assistance providing via HUD.

This is a simple, commonsense amendment that shows the hard-working American citizens that we are serious when it comes to spending their tax dollars and that we will not use their hard-earned money to prioritize and reward those who break our laws. I urge my colleagues to support this amendment and support the rule of law.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chair, I do oppose this amendment. On the face of it, it simply restates existing regulations, but I fear there is another motive at play, that is, an anti-immigrant agenda.

Let me explain what I mean. This amendment feeds into the widely held misperception that many undocumented individuals are, in fact, obtaining Federal benefits despite restrictions—verification procedures—specifically designed to prohibit such activity.

We must not allow this appropriations bill to become a platform to denigrate immigrants in this country or to score political points at their expense. We need real solutions. We need to actually fix our broken immigration system. We shouldn't be wasting valuable floor time on amendments such as these. We would be better served by moving comprehensive immigration reform, fully debating it in this Chamber.

□ 2000

We are ready to do that. We can pass comprehensive immigration reform, if the Speaker would bring it to the floor, this very week. Until then, I would ask restraint on amendments that in no way alter existing law and regulation and only serve to stir controversy, reinforce prejudices, and distract us from the business at hand.

I urge defeat of this amendment, and I yield back the balance of my time.

Mr. YOHO. Madam Chair, this amendment is strictly about the rule of law and following the rule of law. I agree we shouldn't have to debate immigration here. This is not about this. This is about following the rule of law.

At this point, I yield to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Madam Chair, this amendment has nothing to do with being anti-immigrant. In fact, the gentleman's comments play into that accusation. This is entirely incorrect and inappropriate. In fact, it reminds me of a comment a President made from right up there at that podium that no illegal aliens would get ObamaCare. Somebody thought that was not true and said so. It turns out it was not true. They have gotten it.

I went home and talked to a number of people that were in and around Walmart this weekend—immigrants, people that are here legally, and they can't find work and they need help. They did everything to come here legally and properly—Hispanic Americans, Asian Americans, African Americans, Anglo Americans—and they just need help.

I would submit, if we are going to be true to the oath we took to our Constitution and the laws which uphold our Constitution, we need to be about helping those that are under our care, those who have come legally.

I support the gentleman's amendment, and I appreciate him doing it. It is a pro-immigrant amendment for immigrants that will come legally, and there are plenty of those here.

Mr. YOHO. Madam Chair, to the ranking member, I would love to have that discussion down the road about responsible immigration reform, and I think we need to have that. The American people expect it. They deserve it, and I look forward to having that.

In the meantime, this is just a commonsense amendment that strictly puts the emphasis on following the rule of law, and I think all Americans, regardless of what side of the aisle, would stand supporting the Constitution, the very document that we all took an oath to.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. YOHO).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PRICE of North Carolina. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 16 OFFERED BY MS. JACKSON LEE

Ms. JACKSON LEE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used in contravention of section 5309 of title 49, United States Code.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Let me thank the ranking member, Mr. PRICE, and his staff, as well as the chairman, Mr. DIAZ-BALART, for their work on something that is very close and near and dear to many Members' hearts. It certainly is close to mine.

The Jackson Lee amendment was passed last year. I am grateful to have the opportunity this year to restate the fact that this amendment indicates that none of the funds made available by this act under the heading ''Federal Transit Administration: Transit Formula Grants'' may be used in contravention of section 5309.

This is, as I said, an amendment identical to the Jackson Lee amendment. Might I just briefly speak to this amendment. It affirms the importance to the Nation of projects that create economic development, particularly in the transportation area.

It particularly says that the Secretary of Transportation may make grants under this section to State and local governments; it has the authority to assist in financing capital projects, small start-up projects, including the acquisition of real property.

The key is that these grants under State and local authority can undertake capital projects, which means that, when local governments propose their projects, the Secretary has the authority to go forward. Nothing can contravene that authority.

It is well documented that nothing enhances the competitiveness of a Nation in this increasingly globalized economy than investments in transportation and infrastructure capital projects.

I will include an article about transportation dated March 31, 2015, into the RECORD.

[From the Houston Chronicle, Mar. 31, 2015]

STUDY FINDS HOUSTON TRAFFIC CONGESTION WORSENING

(By Dug Begley)

As workday commutes go, Raj Dada's isn't terrible. He lives east of Jersey Village, an easy drive from the freeway. His off-ramp from Interstate 10 puts him practically in front of his job near Bunker Hill.

In each of the past three years, though, the daily drive has gotten worse, Dada said.

''I leave earlier than I used to,'' he said Monday morning as he stopped for gas near his office. ''Even on weekends, it's taking longer to get around all the construction and traffic.''

It's a common dilemma for Houston motorists. Congestion in Houston increased sharply from 2013 to 2014, according to a report released Tuesday by TomTom, developer of the mapping and traffic data fed to phones and other GPS devices.

Analysts said trips in the region on average last year took 25 percent longer than they would have in free-flowing conditions, compared with 21 percent longer in 2013.

This means that a hypothetical 30-minute, congestion-free trip, on average, takes about 52 minutes at peak commuting times. For an entire year, it means drivers waste 85 hours—more than 3.5 days—plodding along the highways and streets of Houston.

It's the first increase in TomTom's traffic index for Houston in four years after three consecutive years of slight declines.

Growing cities with robust economies tend to experience the biggest increases in traffic. Oil price dips notwithstanding, Houston certainly fits the bill, said Tony Voigt, the program manager for the Texas A&M Transportation Institute's Houston office.

Voigt said local analysis supports the conclusion in the TomTom report: More local streets and highways are more congested for more hours of the day. Even weekend trips to some spots—notably retail corridors—can be increasingly time-consuming.

''This is a result of more people living here as compared to two or three years ago and our economy being very active and healthy,'' Voigt said.

Nick Cohn, senior traffic expert for TomTom, said the opposite is true in places where job prospects are not as strong, based on the company's worldwide traffic research.

''In Moscow, where there has really been an economic slowdown and gas prices are up, there has been a slowdown,'' Cohn said.

Moscow and other international cities continue to experience traffic far worse than cities in the U.S. In the United States, Houston ranked 12th-worst among major cities for traffic, compared to 85th worldwide.

News that 11 other American cities have worse congestion isn't comforting to Houston drivers.

''It's terrible,'' said Debbie Curry, 60, a lifelong Houstonian. ''Traffic in this city has gotten worse. When I moved (to western Houston) I thought it would get better. It did for a little while; now it's as bad as it's ever been.''

Reasons why Houston drivers spend so much of their time in traffic vary, but most theories circle back to explosive growth.

''Some of the congestion on U.S. 290 and on (Loop 610 North) is, of course, construction-related,'' Voigt said. ''But what we are really seeing is travel demand is greater overall, and this is causing the peak congestion periods to spread out.''

Peak commutes, once contained to two hours each in the morning and evening, are spreading to three and sometimes four hours. Though it means more days when traffic is heavy for longer periods, the gradual growth of peak commuting periods isn't all bad, Cohn said.

''It means at least when possible they are being flexible with those work-to-home and home-to-work trips,'' Cohn said, noting that an alternative could be a more compressed—but more severe—peak commuting period.

Houston-area officials have a long list of road-widening projects planned over the next decade, along with some transit growth. Suburban areas, notably Conroe and The Woodlands, are exploring their own transit options. It's a pattern across the U.S., Cohn said.

Each city faces different obstacles, Cohn said. Houston's lack of density could make transit less effective, but public transportation remains a critical part of any congestion relief as roads dominate.

Many municipalities, state transportation officials and counties in the area have made ''significant requests for roadway dollars,'' said Houston Councilman Stephen Costello, chairman of the Transportation Policy Council of the Houston-Galveston Area Council.

Those projects are not just about relieving traffic now, but about building before it gets worse, Costello said.

Any improvements are constrained by funding, which federal and state lawmakers have been slow to deliver. Federal officials remain at an impasse about a long-term transportation bill, and many have shown reluctance to increase federal highway spending. Texas voters last year approved $1.7 billion for state highways, leaving about $3.3 billion in additional money needed, according to the Texas A&M Transportation Institute.

That funding shortfall has many, especially officials in suburban Houston, worried as their traffic worsens and projects crawl toward completion, said West University Place Mayor Bob Fry.

''I think outside (Loop 610) is going to be worse for traffic than inside the Loop,'' Fry said. ''Inside is built out, and it's not going to get worse like it is outside.''

In the urban core, Fry said, transit is the important investment. He said Metro's upcoming redesign of bus service will ''help quite a bit.''

PERSONAL CHOICE

With projects slow to take shape, Cohn said drivers might see the best results by using an increasing and improving array of traffic information available to them. Houston's TranStar system—a partnership of Houston, Harris County, the Texas Department of Transportation and the Metropolitan Transit Authority—is one of the largest and most comprehensive real-time traffic systems in the country.

''There used to be a big difference between what the highway authority has and what real-time traffic systems have,'' Cohn said. ''It is more of a unified service now.''

When a motorist finds alternate routes to avoid congestion, it helps not just that driver but also others because one less vehicle is clogging up the problem spot.

Reliance on the information, and better personal planning, might be the best relief for traffic now.

''I don't think drivers can sit back and wait for some big infrastructure project,'' he said.

[From the Houston Chronicle, Feb. 5, 2013]

CONGESTION A CONSTANT FOR HOUSTON COMMUTERS

(By Dug Begley)

Houston region has been rated as having the sixth worst commute in the nation based on hours of delay.

The good news is that traffic congestion isn't getting much worse in the Houston area. The bad news is it was pretty bad to begin with.

Houston commuters continue to endure some of the worst traffic delays in the country, according to the 2012 Urban Mobility Report released Tuesday by the Texas A&M Transportation Commission. Area drivers wasted more than two days a year, on average, in traffic congestion, costing them each $1,090 in lost time and fuel.

And it's unlikely to get any better, researchers and public officials say.

''I think as rapidly as this area is growing, (the challenge) is just trying to stay where we are,'' Harris County Judge Ed Emmett said of the traffic congestion.

Planned toll projects on U.S. 290 and eventually Interstate 45 will help ease traffic, just as the Katy Freeway managed lanes did in 2008, Emmett said.

Drivers take the congestion in stride and devise their own strategies to deal with the hassle. Roger Wilson, 54, takes a park and ride bus from Katy, but his co-worker Brad Steele, 39, drives in from Spring. Over lunch Monday, both claimed their method was best.

''Yeah, you get to read or sleep,'' Steele told Wilson, ''but I would rather have my car.''

But as long as Houston attracts jobs, and those jobs attract workers, commuting hassles will persist, said Tim Lomax, a co-author of the mobility report.

''We're hitting the limits of improving traffic by widening the roads,'' said Stephen Klineberg, co-director of the Kinder Center for Urban Research at Rice University.

With 4 million people in Harris County, and another 1 million coming in the next 20 years, the region will embrace new development patterns that reduce the need for driving—but on its own terms and without abandoning the car, Klineberg said.

''Suburban areas are developing town centers and walkable urbanist developments,'' Klineberg said, pointing to developments in The Woodlands, Sugar Land and Pearland.

DRIVERS ADAPTING

The new patterns follow years of steady outward growth, leading to greater distances between homes and workplaces.

Based on the mobility report, in 1982 drivers spent about 22 hours each year stuck in congestion, a figure that has increased almost every year since. Traffic congestion peaked in 2008 at 55 hours, the same year two carpool/toll lanes along I–10 opened between downtown and Katy. The lanes took five years to complete and cost $2.8 billion.

But some of the best ways to reduce congestion are less costly. As Houston drivers have acclimated to rush-hour traffic jams, they've become more adept at saving themselves time.

''People are adjusting when they leave,'' Lomax said, noting resources that provide real-time traffic information. As smartphones and computers become more common, and workdays come with greater flexibility for some people to work from home, commuters can adjust to less-stressful drive times.

Thus, even though they have the sixth-worst commute in the country based on hours of delay, the region's drivers rank 21st on a new calculation that determines how much extra time drivers have to build into their trips. The new measure, called the freeway planning time index, shows drivers don't have to build in as much extra time as others, because planning and good freeway clearance rates by tow trucks keep roads moving, Lomax said.

Public transit can provide some relief, but with jobs in Houston divided among a dozen or so job areas, it's hard for public transit to carry everyone where they need to go efficiently, Lomax said.

Still, drivers and elected officials said traffic congestion is spreading farther from the urban core and growing.

TRUCKING HURT

''I think within the next two years it is going to get worse,'' said Liberty County Commissioner Norman Brown, who said traffic is already worsening for some Dayton-area drivers.

Some congestion on the region's fringes is the result of trucking and manufacturing, Brown said. The mobility report found congestion accounted for $646 million in cost to businesses reliant on trucking in 2011, up from $490 million in 2007.

Emmett said the shipping growth demonstrates the need for investment in rail and other methods to move goods.

Lomax said congestion caused by flourishing truck business can be a good problem to have.

''Economic recession seems to be the one foolproof way of controlling congestion,'' Lomax said. ''But nobody's saying that is a solution.''

Ms. JACKSON LEE. Just to emphasize, finally, whether it is seaways, dams, highways, or tollways, whether it involves other modes of transportation, transportation projects are major engines driving the economy. That is why we are here on the floor. It is important for the local communities to be drivers of that. The metropolitan regions will not be able to maintain economic vitality without this investment.

Finally, the Jackson Lee amendment clearly speaks to the global aspects of the Secretary of Transportation having the ability to work with our local and State governments.

I ask my colleagues to join me in restating that the Secretary of Transportation has authority to work with local and State entities on the proposed projects that they have and for these projects to continue to grow and develop to ease traffic congestion.

Madam Chair, Let me thank Subcommittee Chairman DIAZ-BALART and Ranking Member PRICE for their leadership on this important legislation and for the opportunity to explain my amendment.

The Jackson Lee Amendment adds at the end of the bill the following new section providing that:

SEC. _____. None of the funds made available by this Act under the heading '' Federal Transit Administration—Transit Formula Grants'' may be used in contravention of section 5309 of title 49, United States Code.

This amendment is identical to the Jackson Lee Amendment to H.R. 4775, the Transportation, Housing and Urban Development Appropriations Act for FY2015 adopted by the House last year by voice vote.

In particular, the Jackson Lee affirms the importance to the nation of projects that create economic development, particularly in the transportation area.

Pursuant to section 5309 of title 49, the Secretary of Transportation may make grants under this section to State and local government the authority to assist in financing capital projects, small startup projects, including the acquisition of real property.

This section further supports capacity improvements, including double tracking, and it specifically relates to work that deals with projects on approved transportation plans.

That is key; section 5309 of title 49 grants to State and local governments the authority to undertake capital projects, which means that when local governments propose their projects, the Secretary has the authority to go forward on them.

It's instructive to consider what some of the nation's leading transportation and economic development organizations have to say about the importance and economic impact of investments in local light rail capital projects.

It is well documented that nothing enhances the competitiveness of a nation in this increasingly globalized economy, than investments in transportation infrastructure capital projects.

Whether it is the seaways, dams, highways, or tollways, and whether it involves other modes of transportation, transportation projects are major engines driving the economy.

And it is important for the local community to be the drivers of that.

Metropolitan regions will not be able to maintain its economic vitality without the ability to create and preserve infrastructure that supports the movement of people and goods throughout our country.

The Jackson Lee Amendment clearly speaks to the global aspect of the Secretary of Transportation having the ability to work with our local and State governments.

Houston is the fourth most populous city in the country; but unlike other large cities, we have struggled to have an effective mass transit system.

Over many decades Houston's mass transit policy was to build more highways with more lanes to carry more drivers to and from work.

The city of Houston has changed course and is now pursuing Mass transit options that include light rail.

This decision to invest in light rail was and is strongly supported by Houstonians by their votes in a 2003 referendum and by their increased usage of light rail service made possible in part by transportation appropriations bills.

Specifically, Harris County voters passed a massive referendum proposal that was to set the stage for transit for the next 20 years.

It included a first stage of four light rail lines, to be complete by 2012, and a master plan for a 65-mile system, to be complete by 2025.

An April 2014 report by the Houston METRO on weekly ridership states that 44,267 used Houston's light rail service, which represented a 6,096 or 16% increase in ridership from April of the previous year.

This increase in light rail usage outpaced ridership of other forms of mass transit in the city of Houston: metro bus had a 2.3% increase over April 2013; metro bus-local had a 1.3% increase over April 2013; and Metro bus-Park and ride had a 8.0% increase over April 2013.

In a story published February 5, 2013, the Houston Chronicle reported on the congestion Houston drivers face under daily commute to and from work.

According to the Chronicle article, in 2011 Houston commuters continue to enjoy some of the worst traffic delays in the country, and Houston area drivers wasted more than two days a year, on average, in traffic congestion, costing them each $1,090 in lost time and fuel.

Today, those figures have increased to 3.5 days a year wasted in traffic congestion, costing them each $1,850 in lost time and fuel.

To put it in simpler and starker terms: A driver in Houston could see 154 movies this year or purchase 21 tickets to a home Texans game with the money wasted because of poorly maintained or traffic-clogged roads.

Expanded light rail is critical to Houston's plan to meet its transportation and environmental challenges, ease its traffic congestion, and improve its air quality.

Places most likely to see immediate benefit from light rail in Houston are the 50,000 students that attend the University of Houston and Texas Southern University.

Funds made available under this deal should be available to support local government decisions of the Houston Metropolitan Transit Authority and the city of Houston to expand rail service.

When we put our minds to it, we can get things done.

In Houston, we built a port 50 miles from the ocean, created the world's greatest medical center in the middle of open prairie, and convinced the federal government to base its astronauts in a hurricane zone 870 miles from the launch pad.

Each of those achievements shares a common element: elected officials have advocated, built public support, and brought the agencies together.

Members of Congress should respect the decisions of state and local governments when it comes to deciding how they will spend funding made available for public transportation under this appropriations bill.

I ask my colleagues to again support the Jackson Lee Amendment and affirm the authority of the Secretary of Transportation to work with local governments to develop local transit projects that will relieve traffic congestion, efficiently move people and goods, create jobs and maintain America's status as the leading economy in the world.

I ask my colleagues to support the Jackson Lee amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BROOKS OF ALABAMA

Mr. BROOKS of Alabama. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used to provide financial assistance in contravention of section 214(d) of the Housing and Community Development Act of 1980 (42 U.S.C. 1436a(d)).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Alabama and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BROOKS of Alabama. Madam Chair, America recently blew through the $18 trillion debt mark. America's Comptroller General warns that America's debt path is unsustainable.

In short, Washington's financial irresponsibility threatens America with a debilitating insolvency and bankruptcy that risks destroying the America our ancestors sacrificed so much to build.

With this impending financial crisis as a backdrop, I ask the House of Representatives to have the courage, to have the backbone, to be financially responsible. The House can do that in part by adopting my amendment that eliminates Federal Government housing subsidies for illegal aliens.

How big is this problem? Census Bureau data analyzed by the Center for Immigration Studies in 2012 reflects that at least 130,000 households headed by self-identifying illegal aliens live in public or subsidized housing. That is potentially hundreds of millions of taxpayer dollars being illegally taken by illegal aliens with the tacit or open consent or even the encouragement of the United States Government.

Think about that for a moment. While American families struggle to make ends meet, while America faces a debilitating and destructive insolvency and bankruptcy, while American families and lawful immigrants are being forced to wait in line for public housing, this administration ignores the law to spend potentially hundreds of millions of taxpayer dollars subsidizing illegal aliens, thereby encouraging their illegal conduct.

Madam Chair, my amendment is simple. It prohibits funding to subsidized housing in violation of section 214(d) of the Housing and Community Development Act that, for clarity, bars HUD from providing taxpayer assistance for the benefit of an applicant ''before immigration documentation is presented and verified'' by DHS' automated Systematic Alien Verification for Entitlements system or a subsequent successful appeal.

Unfortunately, this administration ignores the law and permits illegal aliens to move into public housing before the legality of their status is finally determined.

Also, unfortunately, the administrative and legal process being what it is, it takes as much as 2 years to evict illegal alien tenants after their illegal alien status is discovered.

Madam Chair, it is unacceptable that, in a time of out-of-control United States debt and deficit, HUD violates the law to give limited public housing benefits to illegal aliens, rather than needy American citizens and lawful immigrants.

Madam Chair, I urge the adoption of my amendment that, first, denies public housing subsidies to illegal aliens; and, second, underscores the sense of

Congress that the law must be obeyed and that it is wrong to use public housing subsidies to reward illegal aliens for their illegal conduct.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chair, I rise in opposition to this amendment. Once again, we have an amendment that, on its face, simply restates existing law. In fact, the gentleman offering the amendment has acknowledged that existing law categorically prohibits HUD benefits from going to undocumented persons.

What is going on here? What is lurking beneath the surface? I fear something is. An anti-immigrant agenda based on fear and prejudice would appear to be the answer.

We are feeding into widely held misconceptions that so many undocumented immigrants are seeking and receiving Federal benefits, that Federal programs, Federal dollars, are being abused and misused.

Well, we do need to have a remedy for our broken immigration system. As I said earlier, a comprehensive immigration reform bill, bipartisan, passed the Senate last Congress. It could be placed on this floor tomorrow and pass overwhelmingly. That doesn't appear to be happening. Instead, what we have is this drumbeat of measures that are denigrating the immigrant community.

We need to have some restraint in this body on such amendments. They don't alter existing law. They do, I am afraid, though, stir controversy. They reinforce prejudice and stereotypes. They distract us from the business at hand.

I think it is an unworthy amendment. I urge my colleagues to reject it, and I yield to the gentleman from Florida (Mr. DIAZ-BALART), the chairman of the subcommittee.

Mr. DIAZ-BALART. I thank the gentleman for yielding.

I think it is important to just kind of always try to lower the decibels as much as we can.

This amendment, as both gentlemen have said, does not change current law. It doesn't change current HUD policies. It merely restates current law. I don't, frankly, see a reason to have the amendment. Likewise, I don't see a big reason to oppose the amendment that just, again, restates current law. I ask all sides to try to lower the rhetoric on this issue. This amendment does not change anything.

As the ranking member knows, I have been involved in trying to get immigration reform for a long, long time and have worked with a number of Republicans and Democrats. I will tell you that both sides have had opportunities to get it done, and neither side got it done when they had the opportunity to get it done. I am hoping that we will be able to get it done.

□ 2015

But this is not the time and place to have that debate. So, again, while I don't see the need for this amendment, I don't see what the issue is of objecting to an amendment that, in essence, does absolutely nothing.

I thank the gentleman from North Carolina (Mr. PRICE) for allowing me some of his time.

Mr. PRICE of North Carolina. I thank the chairman, and I yield back the balance of my time.

Mr. BROOKS of Alabama. Madam Chair, I find it interesting and somewhat perplexing how my good friend across the aisle talks about an anti-immigrant agenda appealing to fear and prejudice.

It seems that whenever we start talking about border security and lawful immigration, the race card is played. And I would submit that that is because, in part, there is an absence of rational sound public policy for the position taken.

Let's emphasize something. America has, far and away, the most generous lawful immigration policy in the world. No nation is as compassionate with respect to lawful immigrants as the United States of America is, and I challenge anyone to say different.

I wish that this kind of amendment was not necessary, but when you have got an executive branch that has shown itself to be willingly lawless, to the point that two Federal judges, one in Pennsylvania and one in Texas, have had to render a decision trying to force this administration to obey the law, then I would submit, Madam Chair, that it is important to have these kinds of amendments to also deny the funding that otherwise would be used for that lawless conduct.

I ask for support of the amendment. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BROOKS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PRICE of North Carolina. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Alabama will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. ENGEL

Mr. ENGEL. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used by the Department of Transportation, the Department of Housing and Urban Development, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ENGEL. Madam Chair, on May 24, 2011, President Obama issued a memorandum on Federal fleet performance that required all new light-duty vehicles in the Federal fleet to be alternative fuel vehicles, such as hybrid, electric, natural gas, or biofuel, by December 31, 2015.

My amendment echoes the President's memorandum by prohibiting funds in this act from being used to lease or purchase new light-duty vehicles unless that purchase is made in accord with the President's memorandum.

I have submitted identical amendments to 17 different appropriations bills over the past few years, and every time they have been accepted by both the majority and the minority. I hope my amendment will receive similar support today.

Global oil prices are down. We no longer pay $147 per barrel. But despite increased production here in the United States, the global price of oil is still largely determined by OPEC.

Spikes in oil prices have profound repercussions for our economy. The primary reason is that our cars and trucks run only on petroleum. We can change that with alternative technologies that exist today.

The Federal Government operates the largest fleet of light-duty vehicles in America, over 635,000 vehicles. More than 6,000 of these vehicles are within the jurisdiction of this bill, being used by the Department of Transportation and the Department of Housing and Urban Development.

When I was in Brazil a few years ago, I saw how they diversified their fuel by greatly expanding their use of ethanol. People there can drive to a gas station and choose whether to fill their vehicle with gasoline or with ethanol and also possible blends as well. They make their choice based on cost or whatever criteria they deem important.

So I want the same choice for America's consumers. That is why I am proposing a bill in Congress, as I have done many times in the past, which will provide for cars built in America to be able to run on a fuel instead of, or in addition to, gasoline. If they can do it in Brazil, we can do it here, and it would cost less than $100 per car to do.

So, in conclusion, expanding the role these alternative technologies play in our transportation economy will help break the leverage that foreign-government-controlled oil companies hold over Americans. It will increase our Nation's domestic security and protect consumers.

I urge that my colleagues support the Engel amendment.

In conclusion, I would just say that energy policy is something that is really important, and we can take a very

small step tonight to move closer to energy independence and protecting the American consumer. I would urge all my colleagues on both sides, as they have in the past, to support this bill.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HULTGREN

Mr. HULTGREN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Federal Aviation Administration for the bio-data assessment in the hiring of Air Traffic Control Specialists.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Illinois and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. HULTGREN. Madam Chair, I rise today to offer my amendment, which defunds a troubling hiring test put forth by the FAA which has led to cheating and questionable hiring practices for air traffic controllers.

The intent of my amendment is not to slow hiring, but to stop the FAA's use of a discredited gatekeeper hiring test.

I represent more than 270 air traffic controllers in Illinois' 14th Congressional District. More than a year ago, the FAA made an inexplicable and obscure change to its longstanding hiring practices, with few details given about how the changes would be implemented and with little advance warning.

Setting aside its decades-long process by which qualified Collegiate Training Initiative students and military veterans were given preference in hiring, the FAA implemented a new biographical questionnaire, or Bio Q, which contains such questions as, ''How many sports did you play in high school?''

With no way to know what a right answer is, how to improve on the test, or what their final score was, many otherwise highly qualified applicants failed, after spending countless resources and time training to become air traffic controllers.

The new procedures caused the agency to divert the hiring process around highly qualified, CTI-certified trainees and experienced veterans, jeopardizing air travel safety in favor of off-the-street hires, some of whom have little experience or ambition.

Since then, the FAA has been under fire following a six-month investigation which uncovered that FAA or aviation-related employees may have assisted in giving potential air traffic controller recruits special access to answers on the Bio Q to help them gain jobs with the FAA.

This cheating is greatly disturbing and jeopardizes any shred of credibility of the Bio Q that it had any accurate or fair test to determine who should be an air traffic controller.

Yet, we are now finding out that the cheating may run deeper than first reported, possibly with knowledge at the highest levels of the FAA.

If additional FAA or aviation-related employees helped applicants cheat on the Bio Q, it is imperative that we expose those responsible and determine how widespread and systemic the misconduct is.

I have urged Congress to compel the FAA to appear before the American people to get to the bottom of this troubling discovery. These investigations uncover just how discredited the Bio Q is in any hiring process.

But until we get answers to these questions, like who knew about the cheating, when did they know about it, and how did they cover it up, we cannot let the FAA employ people unfairly using the highly flawed Bio Q as a gatekeeper.

In addition, we still don't know what will happen to those who have either failed the Bio Q, aged out of the hiring process, or both.

Disqualifying highly trained, certified graduates and military veterans because they did or did not play sports in high school is ridiculous. This amendment would restrict funding for the Bio Q, stopping its use by the FAA.

When you climb into an airliner, you trust the pilot, the crew, and the air traffic controllers will keep you safe. I have introduced H.R. 1964, the Air Traffic Controllers Hiring Act of 2015, to reverse the effects of the FAA's policy, restore safety and confidence to air travel, and to make sure we have the best and brightest in our control towers.

I have hopes that this legislation can move quickly through the House and have urged the Transportation Committee to hold a hearing on the bill. Now that Aviation Subcommittee Chairman LOBIONDO has cosponsored the legislation, I am looking forward to the committee's consideration.

Until then, this amendment will help restore some sanity back to the FAA.

I yield such time as he may consume to the gentleman from Illinois (Mr. LIPINSKI), my good friend and colleague.

Mr. LIPINSKI. Madam Chair, I thank the gentleman for yielding and for his work on this amendment and on the bill.

As the gentleman said, early last year, the FAA switched course on its hiring process by moving from the AT-SAT, which was a tried-and-true, knowledge-based test, to a bio-data assessment. The change had a tremendous impact on the 36 Air Traffic Collegiate Training Initiative schools.

I have one of the best of these schools in my district, Lewis University. Lewis 2 years ago won the Loening Trophy as the best aviation program in the Nation.

Maybe students chose to attend Lewis and these other schools because of the advantages that CTI schools provided under the old hiring system. They decided at a young age to enroll in a program fostered by the FAA and were given the opportunity to excel on the AT-SAT, which was unfairly pulled out from under them.

Madam Chair, this amendment is a step in the right direction towards fixing the misguided policy change that had a negative impact on students and the universities that invested significant resources in training our future generations of air traffic controllers.

But I need to emphasize that this amendment should not come at the cost of slowing down the hiring of air traffic controllers. We have already suffered from a hiring and training slowdown and cannot afford further delays to staffing an essential safety function of the FAA.

Our hard-working air traffic controllers are already understaffed, and Congress must ensure that we are increasing their ranks quickly and with well-trained air traffic controllers.

Madam Chair, I urge my colleagues to vote ''yes.''

Mr. HULTGREN. I thank my colleague from Illinois, and I would also urge my colleagues to support this passage and to make sure that we continue to have the safest air traffic control towers in the world.

Madam Chair, I yield back the balance of my time.

Mr. DIAZ-BALART. Madam Chair, I very reluctantly, actually, claim time in opposition.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Madam Chair, I actually understand and, frankly, listened very intently to the gentleman's concerns, and I actually want to work with him to make sure that nothing is used that is absolutely arbitrarily, or frankly, totally unfair. And so I think the gentleman's concerns are very, very valid.

At this time, however, and that is why I say ''very reluctantly'' have to oppose, because, again, at this moment, I am concerned, hearing the other gentleman from Illinois mention the fact that we want to make sure that we don't slow down the hiring of the air traffic controllers. We need to hire another 1,500 new controllers in 2016.

So I not only appreciate the gentleman's concerns, but I, in fact, potentially could share a lot of his concerns.

But again, reluctantly at this time, because I am concerned about potentially slowing down the hiring of new controllers, I reluctantly have to oppose his amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. HULTGREN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HULTGREN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Illinois will be postponed.

AMENDMENT OFFERED BY MR. MEEHAN

Mr. MEEHAN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 416. None of the funds made available by this Act for Amtrak capital grants may be used for projects off the Northeast Corridor until the level of capital spending by Amtrak for capital projects on the Northeast Corridor during fiscal year 2016 equals the amount of Amtrak's profits from Northeast Corridor operations during fiscal year 2015.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

□ 2030

Mr. MEEHAN. Madam Chair, before I begin my comments, I would like to thank Chairman DIAZ-BALART and Ranking Member PRICE for all of their diligent work on this bill.

My amendment seeks to prioritize investment in Amtrak's Northeast Corridor, which is its most heavily traveled route, by ensuring that operating profits that are earned there stay there.

Last year, Amtrak's Northeast Corridor line earned nearly $500 million in operating profit. More than 100,000 Americans get on a train that travels along the Northeast Corridor every day, but instead of reinvesting those dollars into improvements in the line's infrastructure, much of that money was sent across the country, used to subsidize money-losing, long-distance Amtrak routes. This has left Amtrak's most heavily traveled route less funded, and it has delayed needed improvements to Amtrak's only line that actually turns a profit.

This amendment will fix that. It will ensure that the dollars Amtrak earns along the Northeast Corridor are invested into improvements in the line's infrastructure. It will make travel along Amtrak's most heavily used route safer, and it will also do so without adding to the taxpayers' burden.

This amendment will codify the principle that was passed in the Passenger Rail Reform and Investment Act, and I might add that that was approved with more than 300 votes in this House earlier this year. This tracks that same principle. And that legislation passed with the leadership of my friend and fellow Pennsylvanian, Chairman BILL SHUSTER, which requires that Amtrak direct capital investments into the Northeast Corridor, where it is needed most.

Madam Chair, more than 11 million Americans rode an Amtrak train between Boston and Washington last year. Many more used rail lines like SEPTA or Metro-North, operating on tracks owned by Amtrak, to get to work every day. The tragic derailment in my own area of Philadelphia last month has shown that there is a desperate need to improve the line and strengthen capital investments in the region.

This amendment will ensure Amtrak makes smart investment decisions and directs capital spending where it is needed most. It will help Amtrak tackle the backlog of capital projects that plague the Northeast Corridor. It will reduce delays. It will mean safer, more efficient travel for millions of Americans who rely on Amtrak's Northeast Corridor every year. I urge my colleagues to support it.

I yield to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. I thank the gentleman for yielding.

Madam Chair, there is a lot of work that goes into this bill and there is a lot of work that goes into the amendments, but I will tell you that the gentleman from Pennsylvania has worked nonstop to find real solutions to deal with making sure that Amtrak is safe and, in particular, that the Northeast Corridor is as viable and as safe as possible. So I just must commend the gentleman for his hard work, for the way that he has just worked this issue day in, day out to get to the point where we are today.

Mr. MEEHAN. I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I wish to claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chair, I too want to commend my colleague for offering this amendment. I understand his intent. There are significant capital needs on the busy Northeast Corridor. It is Amtrak's busiest and most successful corridor. It is a fundamental flaw of this bill that we are unable to provide for the kind of investments that the service in that corridor warrants and, indeed, that the service of Amtrak nationwide warrants.

But the effect of this amendment, I fear, in the environment of inadequate investment, this would provide a much-needed boost in investment in the Northeast Corridor. It may be still not enough, but it would do so at the expense of the rest of the Amtrak network, and that should give us pause when we consider this amendment.

The amendment would require Amtrak to spend at least $1.2 billion—the annual amount of Northeast Corridor revenues—on Northeast Corridor capital projects before they could spend any of their Federal capital funding elsewhere. This would have the effect of halting all capital projects that are not on the Northeast Corridor, including all information technology, upgraded safety technology, until very late in the fiscal year at the earliest, and possibly longer, should projects on the Northeast Corridor not be ready to advance. This would also hinder Amtrak's ability to manage State and long-distance service.

I know that all of these consequences are probably not my colleague's intent, but it does demonstrate the types of consequences that we need to consider when making such a policy change. I ask colleagues to vote against this amendment.

I yield back the balance of my time.

Mr. MEEHAN. Madam Chair, before I close my comments, I think it is important to recognize that the same principle has already been adopted by 318 Members of this body, including a near unanimous vote by my colleague from the other side of the aisle, his colleagues on that side of the aisle.

I will also say that I am not sure that the gentleman understands the actual effect of the bill. It simply is to reinvest the profits that are made on the Northeast Corridor. These are being made by the investments that are being made by the taxpaying people who are purchasing those tickets. We can still look for ways to fund other parts of the system around the country where they can earn their investments on merit.

We are asking, in light of the fact that this is a line which is so heavily used, the priorities be placed where they are most needed.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. MEEHAN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PRICE of North Carolina. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT OFFERED BY MR. NEWHOUSE

Mr. NEWHOUSE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to issue, implement, or enforce the proposed regulation by the Federal Aviation Administration entitled ''Operation and Certification of Small Unmanned Aircraft Systems'' (FAA-2015-0150) without consideration of the use of small unmanned aircraft systems for agricultural operations, as defined in 14 CFR 21.25(b)(1).

Mr. DIAZ-BALART. Madam Chairwoman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 287, the gentleman from Washington (Mr. NEWHOUSE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. NEWHOUSE. Madam Chair, I rise today to introduce an amendment on an important topic that will undoubtedly have a growing impact not just on our Nation's agricultural sector, but on our economy as a whole.

The use of unmanned aerial vehicles, or UAVs, has enormous possibilities for our economy, whether it is providing cost-effective means to deliver packages, photographing housing for Realtors, broadcasting sports games, assisting law enforcement with tracking criminals, or providing mobile WiFi hubs for Internet access. However, one vastly underconsidered outcome for UAV technology is that it could potentially transform our Nation's agricultural sector.

Ideas have been considered using UAVs to survey cropland, to determine property lines, or to help plan for planting, spraying, watering, or harvesting of crops; however, the potential applications are even greater. Depending on how this technology evolves, UAVs may be equipped with special cameras to determine if crops are dry and need extra water and where and how much should be applied. They may also be used to apply pesticides or fertilizers with precision to ensure that too little or too much isn't being used. And depending on their sophistication, someday, UAVs may even be used to harvest the food we grow.

The potential applications don't just stop there, though. In my district last year, we experienced the worst forest fire in Washington State history, consuming hundreds of thousands of acres. In the future, first responders, the Forest Service, and other stakeholders may be able to use UAVs to monitor the spread of fire to get people out of harm's way or to better predict where to best apply water and fire retardants. They could even help with identifying dry or overgrown areas in advance to help stakeholders know where treatment is needed, which could prevent fires in the first place.

Madam Chair, I appreciate the steps the FAA has taken in releasing draft rules regarding UAVs and that the FAA has been more agreeable in allowing testing of UAVs for commercial purposes.

While I understand that safety and privacy are enormous concerns being considered by the FAA, it is also important that we do not fall behind other nations in utilizing this technology, which are currently developing and innovating in this industry more rapidly than we are here in the United States.

Madam Chair, my amendment today is simple. It merely limits FAA's rulemaking on UAVs if the rules do not take into consideration agricultural applications of UAVs in the rulemaking process.

I appreciate the work the FAA is doing on this matter, and I hope the final rules that are expected later this year generously allow for the safe testing and commercial use of UAVs, ensuring the amazing agricultural prospects for these technologies are well considered in the process.

Madam Chair, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Washington?

There was no objection.

AMENDMENT OFFERED BY MR. NEWHOUSE

Mr. NEWHOUSE. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to issue, implement, or enforce regulations by the Federal Aviation Administration entitled ''operations and certification of small unmanned aircraft systems'' (FAA–2015–0150) in contravention to 14 CFR 21.25(b)(1).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Washington and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. NEWHOUSE. Madam Chair, in my previous comments, I addressed this amendment, which is in order, and I would just submit those comments to be used for this particular amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. NEWHOUSE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARRETT

Mr. GARRETT. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available by this Act may be used to implement, administer, or enforce the final rule entitled ''Implementation of the Fair Housing Act's Discriminatory Effects Standard'', published by the Department of Housing and Urban Development in the Federal Register on February 15, 2013 (78 Fed. Reg. 11460; Docket No. FR-5508-F-02).

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New Jersey and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

□ 2045

Mr. GARRETT. Madam Chair, I rise today, as I have done in the past, to offer an amendment that attempts to restore some sanity, fairness, and certainty to our housing market. My amendment would undo harmful economic actions taken by the administration that weaken credit availability and job creation. You see, the Department's final rule implementing the Fair Housing Act's discriminatory effects standard establishes regulations promoting the use of a legal theory known as disparate impact.

What is disparate impact? Disparate impact liability allows the government to allege discrimination on the basis of race or other factors based solely on statistical analyses that find disproportionate results among different groups of people and—get this—regardless of any evidence of any actual discriminatory actions or intent. Let me point that out again—regardless of any evidence of actual discrimination.

If, for example, a mortgage lender uses a completely nondiscriminatory standard to assess credit risk, such as maybe a debt-to-income ratio, they can still be found to have discriminated if the data shows different loan approval rates for different groups of consumers.

So real and actual discrimination must be prosecuted to the fullest extent of the law. I think that is something everyone here can agree on. But under the example that I just laid out, that lender could even have specific antidiscriminatory practices in play, in other words, he would have rules in his business in place, but still be found liable under this theory.

Predictably, by creating a presumption of discrimination, this rule will result in a perverse regulatory scheme where lenders, insurers, and landlords would effectively be required to intentionally discriminate among different classes of borrowers. Why? Just to protect themselves from becoming entangled in the regulatory pretzel-like logic of this administration.

So if we specifically consider the examples of homeowner insurance commonly considered factors, including an applicant's claim history, construction material, the presence or absence of a security system, the distance to the firehouse, well, they could be barred if they were found to result in creating a statistical disparity for a class defined by race or ethnicity or gender.

You see, sound risk-based lending insurance underwriting and pricing that unintentionally results in a statistical disparate outcome, that is not discrimination; rather, accurate risk identification and classification is absolutely essential to the lending of insurance businesses.

In addition to being unfair and unwise, the HUD rule is also unnecessary. Why? Because protected class characteristics are already prohibited from consideration in the risk assessment process.

You see, State law already prohibits insurers from recording race, for example. The HUD rule requiring race considerations there turns on its head and violates these laws. You see, all 50 States in this country have antidiscriminatory provisions in their housing insurance regulations, and there is no claim that these have been insufficient. The Federal Government, therefore, should be encouraging sound business practices, not punishing them to utilize them.

We have seen what risky lending practices can do to our economy already. Although I believe the Supreme Court will strike down disparate impact theory, we should do all we can in our power to rein in an administration policy that will increase the cost and undermine the availability of credit throughout the economy.

Now, to this Chamber's credit, let me point out, this House recently passed my amendment to the Commerce-Justice-Science Appropriations bill that would prevent the DOJ from using this very same theory.

I hope that we will continue to take a stand against this flawed logic and theory and promote sound business practices.

I urge my colleagues to support this amendment.

With that, I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I wish to claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. I rise in opposition to this amendment. It would nullify a critical enforcement tool that has been used, for example, to rule against discrimination and racially discriminatory zoning requirements, practices that exclude families with children from housing, discrimination by lenders, zoning requirements that discriminate against group homes housing individuals with disabilities. It is a critical enforcement tool, and it would be a very, very bad mistake to pass this amendment.

I yield 2 minutes to the gentlewoman from California (Ms. MAXINE WATERS), the ranking member of the Financial Services Committee.

Ms. MAXINE WATERS of California. Madam Chair, I rise in strong opposition to this amendment. I am very surprised that this amendment is being brought by my friend, Mr. GARRETT.

Mr. GARRETT's amendment seeks to empower HUD's efforts in enforcing the Fair Housing Act in such a way that relies on the disparate impact doctrine. It weakens our ability to protect Americans from discriminatory policies that deny them access to quality housing, quality neighborhood schools, and other resources.

The disparate impact doctrine is a very effective legal tool that has been used for decades to address seemingly neutral policies that have the effect of discriminating against protected classes.

The disparate impact doctrine provides legal redress for victims of hidden discrimination. It ensures that women cannot be evicted from their apartments solely because they were victims of domestic violence, and it ensures that veterans with disabilities are not barred from living in certain places solely because of the lack of accommodations for their disability. This amendment ignores the realities of harmful discrimination in our Nation today, and it would eliminate well-established, decades-old protections for American families.

I urge my colleagues to vote ''no.''

Mr. PRICE of North Carolina. I yield 2 minutes to the gentleman from Texas (Mr. AL GREEN), another outstanding Financial Services member.

Mr. AL GREEN of Texas. Madam Chair, this amendment would absolutely, totally, and completely allow discrimination against our veterans. If you are a veteran and you need a service animal and if there is an area that is set aside with no pets allowed, that service animal can become a pet. We cannot allow veterans to be discriminated against.

With reference to this amendment being a theory, all 11 circuit courts have upheld it. It is not a theory. It is a standard. It is a standard that the courts adhere to, and it is a standard we ought not abrogate. We must continue.

I am absolutely, totally, and completely opposed to this amendment, and I beg that my colleagues would go on record as being opposed to it as well.

Mr. PRICE of North Carolina. I yield to the gentleman from Florida (Mr. DIAZ-BALART).

Mr. DIAZ-BALART. Madam Chair, I am wary of considering an amendment on a rule and regulation that is currently pending before the Supreme Court. The sponsor of the amendment is a good man, but I would hope that we would wait for the Court to issue its ruling and then the committee of jurisdiction can properly debate and consider what, if any, legislative action should be taken. For those reasons, I urge a ''no'' vote on this amendment.

Mr. PRICE of North Carolina. I yield the balance of my time to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. I thank the gentleman for yielding me the time, and I strenuously urge all Members to vote ''no'' on this particular amendment.

The fact is that residential segregation in this country has limited opportunities for people for so many years. And I don't mean segregation just in terms of race—people who are excluded because of race, because of gender, because of all types of reasons.

If we say that disparate impact has no place, then we will be precluded from looking into how disparity just causes people to have different chances to live the American Dream. We will be consigned to having to find a smoking gun or intent before we can take action to try to make this country fairer and more open.

This is a very bad amendment, and I urge all Members to vote ''no.''

Mr. PRICE of North Carolina. Madam Chair, I yield back the balance of my time.

Mr. GARRETT. Madam Chair, how much time remains?

The Acting CHAIR. The gentleman from New Jersey has 1 minute remaining.

Mr. GARRETT. The gentleman said, ''The fact is.'' Well, everything we have heard for the last 5 minutes as the facts has absolutely nothing to do with this bill. This bill has nothing to do with vets and service animals. This bill has nothing to do with domestic violence and women not being able to be in the house. This has nothing to do with any of the weakening of State standards whatsoever.

This bill basically simply says that, if a lender to you says that you live in a wooden house versus a stone house, there might be different rates for your insurance. It says that, if your house is miles from a fire department and your house is right next to the firehouse, there might be different rates for the insurance and the mortgages and the loans you get on that house. Those are not discriminatory practices. Those are reasonable practices that businesses enter into. It has nothing to do with all of the examples just given.

This bill says we should continue to go after and prosecute when there is evidence of discrimination and intentional discrimination. This bill will not end that. This bill will not end your ability to look into the examples the last gentleman just raised. It would simply say that businesses should be allowed to use standard rationales in their risk analysis, whether it is debt-to-income ratio or construction materials and the like.

For those reasons, along with the other reasons I have already said and the host of organizations that support this legislation, and that this House just passed last week on the CJS bill, we should do so again tonight.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARRETT. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT OFFERED BY MR. ELLISON

Mr. ELLISON. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available in this Act may be used to enter into a contract with any person whose disclosures of a proceeding with a disposition listed in section 2313(c)(1) of title 41, United States Code, in the Federal Awardee Performance and Integrity Information System include the term ''Fair Labor Standards Act'' and such disposition is listed as ''willful'' or ''repeated''.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Madam Chair, this amendment simply says that the United States Government should not give appropriations and pay contracts for people or companies who have been found to have willful or repeated violations of the Fair Labor Standards Act. In other words, if you have repeatedly and willfully stolen the wages of workers and you have a Federal contract, then you are not the kind of contractor who the American people, through the U.S. Congress, want to do business with.

No hard-working American should ever have to worry that her employer will refuse to pay her when she works overtime or take money out of her paycheck, especially if she works for a Federal contractor. The practice is known as wage theft. Right now, Federal contractors who violate the Fair Labor Standards Act are still allowed to apply for Federal contracts.

This amendment, which my colleagues from the Progressive Caucus join me in, will ensure that funds may not be used to enter into a contract with a government contractor that willfully or repeatedly violates the Fair Labor Standards Act. The amendment ensures that those in violation of the law do not get taxpayer support and should not get the rewards that other good contractors receive.

It is important to point out to Members contemplating this amendment that, if you are a contractor who pays your workers on time, who does what you are supposed to do, who has avoided willful violations and repeated violations of the Fair Labor Standards Act, you should not, as a good contractor, have to compete with somebody who gets a competitive advantage by stealing the pay of their workers. We should have good contractors competing for contracts, not contractors who make willful, repeated violations of the Fair Labor Standards Act.

This amendment relies upon violations reported to the Federal Awardee Performance and Integrity Information System.

□ 2100

That system looks back 5 years to review criminal, civil, or administrative agency actions which have a final disposition.

This amendment differs from previous amendments that I have offered similar to it because it targets actors who willfully or repeatedly engage in wage theft. The amendment would ensure that a single inadvertent violation would not disqualify a contractor, but it would show clearly that someone who had made repeated and willful violations would not be able to benefit from the contract.

I urge Members to vote in favor of this particular amendment because a penny worked for and a penny earned must be a penny paid; particularly when that penny is derived from a company with a Federal contract, we have a right to believe that we are going to be treated in an honest way.

I yield to the gentleman from North Carolina.

Mr. PRICE of North Carolina. Madam Chair, I want to commend my friend from Minnesota for offering this amendment. Every worker is entitled to receive pay, fair pay, for the hours they work. We know, unfortunately, there are employers, as the gentleman has stated, who refuse to pay for overtime, who make their employees work off the clock, who refuse to pay the minimum wage. These things go on.

The least we can do is take steps to ensure that those employers don't receive new Federal contracts. That is what the gentleman's amendment does. I commend him for offering it and urge colleagues to support him.

Mr. ELLISON. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Minnesota has 1½ minutes remaining.

Mr. ELLISON. Madam Chair, I want to thank the gentleman for the support for this amendment.

Let me just point out a few things for Members contemplating this amendment.

An important think tank looked at this question and found that in total, the average low-wage worker loses a stunning $2,600 a year in unpaid wages, representing about 15 percent of their earned income.

One thing that I believe Democrats and Republicans can agree on is that, if you break your back on the job all day long trying to earn a living and you don't get paid what you are supposed to get paid and your check is light, we all have to agree that that is wrong.

I expect to have an all green board up there because to do otherwise would say that you want to stand on the side of the wage thieves, the ones who are willfully and repeatedly making violations of the Fair Labor Standards Act.

I think that, as the United States Congress, we should stand together and say a penny worked is a penny that is going to be paid, and we are going to insist upon it.

Finally, I just want to say that breaking the law is a bipartisan problem. Nobody can stand with the contractors who do this. It is one thing to underpay your workers in a way that is consistent with the law by paying them the Federal minimum wage rate—I want to raise it; we may not agree on that—but for sure, we have got to agree that, for people who work for Federal contractors, we have got to insist that the contractors who pay these workers even less than they have earned should not benefit from a Federal contract.

To help the workers, we have to do this, and to help the honest Federal contractors, we have to do this.

The Acting CHAIR. The time of the gentleman has expired.

Mr. DIAZ-BALART. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Madam Chair, the gentleman's amendment is obviously very well intentioned.

However, the amendment, as drafted, is so broad that, for example, a contractor could be excluded for something as minor as failing to display a poster in a break room. Again, it is well intentioned.

We have to remember something. We fund a lot of contracts in this bill, everything from phone service to the computer systems that ensure an orderly and efficient air space. Potentially, this amendment could eliminate a number of those transportation-industry-dependent contracts.

Nobody wants to allow for lawbreaking; but, because it is so broadly drafted, the unintended consequences, I think, that folks could be caught in this are a lot more than I think many folks understand.

Again, though it is a well-intentioned amendment, I would urge a ''no'' vote on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ELLISON. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

AMENDMENT NO. 28 OFFERED BY MR. EMMER OF MINNESOTA

Mr. EMMER of Minnesota. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may used to carry out any enrichment as defined in Appendix A to part 611 of title 49, Code of Federal Regulations, for any New Start grant request.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Minnesota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. EMMER of Minnesota. Madam Chair, I rise to address an issue that is playing a role in crippling America's transportation system by driving our deficits and exacerbating the need for bailouts of the highway trust fund. As we debate how to fund transportation, one of the most vital functions of government, this body is being forced to make hard choices.

I want to thank Chairman DIAZ-BALART, the ranking member, and the members of the subcommittee for their

work on bringing this appropriations bill to the floor. Their work is definitely appreciated by me and my constituents. That said, it is inconceivable to me that, as we kick the can on a long-term transportation authorization bill, we continue to allow frivolous spending on transit projects.

As important as New Starts transit projects are to my State and my district, one would think that every last available dollar would go towards ensuring transit New Starts have the funding needed to make a line operational and as cost effective as possible.

Madam Chair, that is not what is happening. Within Federal grant applications, extras are being included that can dramatically raise the cost of transit New Starts.

Excessive enrichments such as artwork, landscaping, and bicycle and pedestrian improvements such as sidewalks, paths, plazas, site and station furniture, site lighting, signage, public artwork, bike facilities, and permanent fencing are included in the overall grant application.

Even more shocking is that the Federal Transit Administration doesn't include these extra costs into the cost-effective measurements for the overall cost of the project which serves to deceive taxpayers and Congress as to the project's real price tag.

Madam Chair, in my district alone, I have cities that have placed a moratorium on new business development due to severe transportation issues. It is insane to me and my constituents that we blindly spend money on the niceties rather than prioritize funds for the necessities.

There are numerous reasons that our Federal highway trust fund continues to run deficits and we will continue to have that debate; but one place that we can agree, certainly, is that Federal taxpayers should absolutely not be paying for things like artwork, furniture, lighting, and bike racks while transportation projects remain unfinished across America.

I understand the need and desire for transit projects—I have them in my district—which is why I have offered this amendment. We should make funds available to ensure more Federal dollars go to what the hard-working taxpayers who fund these accounts expect, transit projects, rather than expensive add-ons that are driving deficits in our transit accounts.

I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chair, in considering this amendment, it is important to be very clear about what the amendment means when it refers to enrichments.

This refers to improvements to a transit project like a sidewalk, paths, plazas, lighting, and signage, things that can help individuals in utilizing transportation infrastructure and ensure that they do so in safety.

Unfortunately, Madam Chair, there are approximately 4,000 pedestrian deaths, comprising 14 percent of overall traffic fatalities each year. These enrichments are just the kinds of projects that could help reduce the risk for pedestrians, for bicyclers, and other users of our systems.

Now, the gentleman offering this amendment is just bordering on ridicule when he talks about site lighting. Really, site lighting? What is more important to promoting safety, promoting visibility, and discouraging those who would prey on individuals than site lighting?

Site lighting is extremely important in improving general safety in public places. It is incredibly important for protecting individuals against crime, including harassment and assault. That is what we are talking about here.

Now, the amount of funding that goes towards such enrichments is small relative to other expenditures, but it is a commonsense way that we can enhance our transportation projects, we can broaden their use, and, above all, we can ensure that they are safe for all users.

It is an unwise amendment, Madam Chair, and I urge its rejection.

I yield back the balance of my time.

Mr. EMMER of Minnesota. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman has 2 minutes remaining.

Mr. EMMER of Minnesota. Thank you, Madam Chair.

I have the utmost respect for my colleague from North Carolina, but he actually makes the argument for the amendment as opposed to opposed to it.

Yes, it reduces risk for bicyclists and pedestrians when you talk about signage, when you talk about certain lighting, when you talk about certain enhancements that are add-ons to the project that the Federal Government and the Federal taxpayer dollars are intended to fund.

The Federal taxpayer dollars should be going to the transit project that it is intended for, instead of all the extras. The local authorities should be responsible for those.

Madam Chair, I urge my colleagues to support the amendment. It is a clear-cut amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. EMMER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PRICE of North Carolina. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

AMENDMENT OFFERED BY MS. BASS

Ms. BASS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the spending reduction account), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Federal Transit Administration to implement, administer, or enforce section 18.36(c)(2) of title 49, Code of Federal Regulations, for construction hiring purposes.

The Acting CHAIR. Pursuant to House Resolution 287, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. BASS. Madam Chair, as the economy continues to recover, 8.5 million Americans are still unemployed. Meanwhile, the effectiveness of local transportation agencies to spur job creation in their local communities is unnecessarily obstructed by restrictive Department of Transportation policies.

Limiting the ability of local officials to contribute to targeted job growth is detrimental to local economies across the United States, especially in communities where many remain jobless.

Local hiring and procurement policies have helped to provide quality job opportunities to residents in communities hardest hit by the economic downturn.

My local hire amendment is designed to help spur local job creation through federally funded transportation projects nationally.

My amendment would prevent the Department of Transportation from issuing regulations that prevent local hiring. Specifically, it would limit the regulations and burdens placed on local governmental agencies, preserve the competition and cost-effectiveness mandates in our current rules that govern Federal transit grants, and give local transportation agencies the necessary flexibility to apply geographically targeted preferences when making hiring decisions for federally funded transit and highway projects.

It is important to note that this local hire amendment does not require transportation agencies to implement local hiring policies. It simply gives local leaders the opportunity to do so if they determine it is in the best interest of their communities.

Madam Chair, I urge my colleagues to support this important amendment. It will reduce burdensome regulations and spur local job creation.

I yield back the balance of my time.

□ 2115

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. BASS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ZELDIN

Mr. ZELDIN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Administrator of the Federal Aviation Administration to institute an administrative or civil action (as defined in section 47107 of title 49, United States Code) against the sponsor of the East Hampton Airport in East Hampton, NY.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ZELDIN. Madam Chair, I am proud to represent a district that is home to some of the most scenic destinations in the country, and all forms of transportation are part of our tourism economy. Yet, with the high season upon us, many of my constituents are finding themselves bewildered by actions of the FAA. Federal agencies ought to stand by their word and keep their commitments to Members of Congress and to the citizens we represent.

In 2012, the FAA made assurances to my predecessor that, in light of a 2005 court settlement between the FAA and a community group, the town of East Hampton, New York, would not be subject to certain regulations after December 31, 2014, when certain grant assurances expired and, thus, could adopt restrictions on the use of their airport without FAA approval.

The FAA has written that the town can proceed on certain course and not fear FAA reprisal for their actions. Earlier this spring, the democratically elected town board passed a set of airport regulations—all predicated on the FAA's written assurance to not take negative action against the town. Recently, however, the FAA has started wavering.

I am offering this amendment, which is 100 percent consistent with the prior written assurance made by the FAA. This amendment will hold the FAA to its word on this critical local issue, a local issue that should have a local solution—bring all sides to the table to improve the quality of life on the East End this high season.

Madam Chair, I urge all of my colleagues to support this effort. The people of the East End communities across Long Island and around America deserve straight answers and follow-through from government agencies.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I rise in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chair, I do this, though, simply to express some concerns about this amendment and others like it that we have heard over the course of this debate.

I do have some concerns about limiting flight path options for the FAA in a piecemeal fashion from the floor of the House. The FAA needs to have appropriate flexibility to use flight paths in the wisest ways, particularly if there are safety risks for incoming or outgoing aircraft. I do think, however, that the FAA needs to take note and be more responsive to the concerns that have been raised in these limitation amendments, and there have been several this evening and in the prior days of this debate.

I also want to observe that the FAA's authorization expires at the end of the fiscal year. Now, as I mentioned in the debate last week, our colleagues on the Transportation and Infrastructure Committee are exploring options to reform the FAA, including separating the FAA from the Department of Transportation, allowing it more independence over the use of its resources.

I would say this is an important time to encourage caution, to encourage our colleagues to think very carefully about a more independent FAA, one that does not have to rely on annual appropriations. Would it be as attentive to concerns such as those raised by communities and by our colleagues here tonight? We ought to move very cautiously in this area.

I strongly urge the FAA Administrator, in observing this parade of limitation amendments, to take note to ensure that the FAA is more attentive to the concerns that are raised by communities when developing their new flight procedures.

I yield back the balance of my time.

Mr. ZELDIN. Madam Chair, I thank the gentleman from North Carolina for his comments. Certainly, concerns within the First Congressional District of New York are the reason this amendment is being offered. I strongly urge my colleagues to support this important amendment so as to ensure that these local issues have local control.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ZELDIN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LEWIS

Mr. LEWIS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 156, after line 15, insert the following new section:

SEC. 416. Notwithstanding Mortgagee Letter 2015–12 of the Department of Housing and Urban Development (dated April 30, 2015) or any other provision of law, the Secretary of Housing and Urban Development shall—

(1) implement the Mortgagee Optional Election (MOE) Assignment for home equity conversion mortgages (as set forth in Mortgagee Letter 2015-03, dated January 29, 2015), allowing additional flexibility for non-borrowing spouses to meet its requirements; and

(2) provide for a 5-year delay in foreclosure in the case of any other home equity conversion mortgage that—

(A) has an FHA Case Number assigned before August, 4, 2014; and

(B) has a last surviving borrower who has died and who has a non-borrowing surviving spouse who does not qualify for the Mortgagee Optional Election and who, but for the death of such borrowing spouse, would be able to remain in the dwelling subject to the mortgage.

Mr. LEWIS (during the reading). Madam Chair, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. DIAZ-BALART. Madam Chair, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. The gentleman from Florida reserves a point of order.

Pursuant to House Resolution 287, the gentleman from Georgia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. LEWIS. Madam Chair, I rise today to offer an amendment to H.R. 2577.

When I was first elected in 1987, Congress created the first nationwide Home Equity Conversion Mortgage program. Also known as reverse mortgages, these loans differ from traditional mortgages and have very good intentions. They are designed to help seniors stay in their homes by using the values of their properties as a means for living more stable and independent lives. Since the borrowers must be 62 years of age or older, lenders often advise some borrowers to remove younger spouses from the titles. This allows them to be eligible for the program or to qualify for greater loans. Unfortunately, Madam Chair, many seniors are experiencing challenges in the program's actual operation.

For example, a citizen in my district, Mrs. Helen Griffin, reached out to my office last year. She and her husband took out a reverse mortgage on their home. In order to qualify, she agreed to be taken off the title. The lender promised that she could be added back on the title at a later date if they refinanced. Unfortunately, she and her husband had no idea how expensive refinancing would be. Like so many others, Mrs. Griffin was now in a dangerous financial situation. Upon the reverse mortgage borrower's death, a surviving spouse is required to pay the full balance due on the loan—or 95 percent of the value of the property—simply to remain in their home.

My amendment would protect people like Mrs. Griffin and allow them more time to protect themselves from foreclosure. I think we must do everything in our power to inform and protect unknowing senior couples from the danger of not only losing their loved ones but also their nest eggs.

Madam Chair, I want to thank the gentleman from Florida and his staff for working so hard on this legislation and for making a commitment to this issue. I look forward to continuing to work with the gentleman to make sure that we do all that we can to realize

the full goal of this important program.

Madam Chair, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Georgia?

There was no objection.

AMENDMENT OFFERED BY MR. DENHAM

Mr. DENHAM. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used for high-speed rail in the State of California or for the California High-Speed Rail Authority, nor may any be used by the Federal Railroad Administration to administer a grant agreement with the California High-Speed Rail Authority that contains a tapered matching requirement.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DENHAM. Madam Chair, once again, I am here one more year, offering another amendment to end this incredible waste of taxpayer dollars.

I have been clear about my position on high-speed rail. High-speed rail has a future in the United States. It just can't be done as it is being done in California—$70 billion over budget and completely changed from the proposition that the voters originally voted on. If the Governor and the Obama administration are committed to bringing this high-speed rail to fruition, then it should go back before the voters and actually uphold the will of the voters.

This is a case study. If you want to get it wrong, if you want to end high-speed rail across the Nation, then go ahead and continue to waste dollars in California on a project that continues to have many different flaws. This authority in California is not only demolishing homes, but it is demolishing businesses. The only way they can continue to get right-of-way is through eminent domain—slashing farms, tearing down businesses, and now kicking people out of their homes.

Today, it was announced that, instead of ending the initial construction segment in the outskirts of Bakersfield, the rail work will now stop just north of Shafter—a full 8 miles of what the original segment was—with still no operating segment that will allow people to travel from one end of the State to the other or even from one end of the valley to the other. Currently, if you ride Amtrak from north to south, you have to get off in Bakersfield, get on a bus, go over the mountains, and take that bus until it hits rail in the LA area. Now we are going to have a bus in Shafter. This just doesn't make any sense. They continue to change over and over again.

In the wake of Amtrak accident 188 and with the incredible focus on safety that is necessary to pass PTC across the country, why wouldn't we take high-speed rail dollars and actually fix the safety improvements that need to be done in California? Where is the commitment to safety? Let's fix the positive train control and make sure that our trains in California are safe, and let's end this project that continues to waste taxpayer dollars.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chair, this amendment is a new twist on an amendment that the gentleman from California has been offering over the last few years. The net result, however, is the same. It would stop the development of California high-speed rail in its tracks, so to speak.

The amendment would prevent the Federal Railroad Administration from administering the funding that California received under the American Recovery and Reinvestment Act. This would have the effect of preventing the FRA staff from providing routine project delivery oversight or invoicing on all of the environmental work funded under the grant agreement.

Do we want the Federal Government to conduct oversight on the projects that receive Federal funding?

Furthermore, with the Recovery Act funds set to expire at the end of fiscal year 2017, the amendment would make it virtually impossible for the California High-Speed Rail Authority to spend all of its funding by the deadline. It would put the completion of the project in grave jeopardy. In January, Governor Brown and other California leaders came together to mark the commencement of construction for California's high-speed rail project. The project is expected to create 20,000 jobs per year.

I include for the RECORD two letters—one from industry and one from labor groups. Both support the California high-speed rail project.

MAY 12, 2015.

Hon. MARIO DIAZ-BALART,
Chairman, Subcommittee on Transportation, HUD, and Related Agencies, Committee on Appropriations, House of Representatives, Washington DC.

Hon. DAVID E. PRICE,
Ranking Member, Subcommittee on Transportation, HUD, and Related Agencies, Committee on Appropriations, House of Representatives, Washington DC.

We are writing to voice our strong support for public works investment, including recent efforts to develop, construct and deliver high-speed intercity passenger rail service for the first time in American history. Specifically, we oppose the inclusion of harmful riders in the fiscal year (FY) 2016 Transportation, Housing and Urban Development, and Related Agencies Appropriations Act that would target or impede efforts to construct any specific high-speed rail projects, including the California High-Speed Rail program.

American public works infrastructure is at an inflection point, and this will be a pivotal year as the U.S. Congress deliberates Federal highway, transit, rail and aviation policy bills, and debates how to fund Federal transportation programs that will meet our Nation's future mobility needs. Meanwhile, the State of California, in partnership with the Federal government, has made significant investments in intercity high-speed passenger rail. In January, the California High-Speed Rail Authority (the Authority) hosted a ''Groundbreaking Ceremony'' for the California High-Speed Rail program to mark the commencement of sustained construction, which will accelerate this year and create 20,000 jobs annually for the next five years. Additionally, the bids on the Authority's first two construction contracts, valued at almost $2.2 billion, came in significantly under budget.

To date, the State of California has committed the majority of the funding that has been committed to build the program's initial operating section. And last year, the Authority secured the ongoing appropriation of 25 percent of all future California State Greenhouse Gas Reduction Fund auction proceeds for the high-speed rail program—a dedicated revenue stream capable of producing hundreds of millions of dollars annually for direct funding or financing. The private sector is now also exhibiting a great deal of interest in investing in the program.

We believe that America is a country with bold vision that does big things, and we believe that robust investment in infrastructure benefits our industry and the American public. Congressional efforts to impede new public works projects in any one state send the wrong message to local, state and private sector investors in every state who are willing to invest in sorely needed new infrastructure projects in any mode of transportation.

Moreover, the California High-Speed Rail program represents the first ever effort to build an intercity high-speed passenger rail system in this country. California is at the forefront of developing an entirely new American industry where investments in and the development of new technologies, manufacturing capabilities, and innovative business practices will create high-skilled, good paying jobs and benefit American public works for decades. The Authority is also operating under a Community Benefits Agreement with skilled building trades and contractors to promote training and apprenticeship programs and provide opportunities for disadvantaged workers. Halting or impeding this seminal program at its outset will set our industry back and jeopardize thousands of new middle-class jobs.

We believe that the California High-Speed Rail program may serve as model of a Federal, state, industry and labor partnership that creates jobs, links economies and communities, preserves our environment and builds a sustainable future. Therefore, we respectfully oppose the inclusion of harmful riders in the fiscal year (FY) 2016 Transportation, Housing and Urban Development, and Related Agencies Appropriations Act that would target or impede efforts to construct any specific high-speed rail project, including the California High-Speed Rail program.

American Train Dispatchers Association; Brotherhood of Electrical Workers; Brotherhood of Railway Signalmen; International Association of Machinists and Aerospace Workers; International Brotherhood of Boilermakers; International Union of Operating Engineers; North America's Building Trades Unions; SMART Transportation Division; State Building and Construction Trades Council of California; Transportation Communications International

Union; Transportation Trades Department, AFL–CIO; Transport Workers Union International; UNITE HERE!

JUNE 1, 2015.

Hon. SUSAN COLLINS, Chair,
Hon. JACK REED, Ranking Member,
Subcommittee on Transportation, HUD, and Related Agencies, Committee on Appropriations, U.S. Senate, Washington DC.

DEAR SENATORS COLLINS AND REED: As you prepare to consider the Senate's version of the fiscal year (FY) 2016 ''THUD'' appropriations bill, we are writing to ask you to avoid using the measure to set up roadblocks to transportation investment. Specifically, we wanted to make you aware of policy language contained in the House version of the FY 2016 THUD bill that seeks to block federal approvals for the California high speed rail program.

In January, Governor Jerry Brown and other California leaders commemorated the beginning of construction on the nation's largest infrastructure project: a high-speed railroad connecting Southern and Northern California through the Central Valley. This program, in which the state will be the primary funder, will bring together public and private funds to create a transformative investment for California and the nation. During construction, the program will create 20,000 jobs per year. After it is open, it will help ensure a sustainable and growing economic future for California.

By including language in its appropriations bill intended to withhold federal support and approvals for the project, the House is sending a message to all the states that major infrastructure projects—even after receiving federal grants and multiple federal approvals—are at risk of being halted in their tracks based on political considerations in Washington, DC.

In a May 11 letter to House appropriators, OMB Director Shaun Donovan also expressed the Administration's opposition to the language in the House bill dealing with the California High-Speed Rail program.

We believe that the California high speed rail program will serve as model of a Federal, state, industry and labor partnership that creates jobs, links economies and communities, preserves our environment and builds a sustainable future. Therefore, we respectfully request that your subcommittee produce a bill free of any harmful riders in the FY 2016 Transportation, Housing and Urban Development, and Related Agencies Appropriations Act that would impede efforts to construct any specific high-speed rail project, including the California High-Speed Rail program.

Thank you for your attention to our views.

Sincerely,

AMERICAN COUNCIL OF ENGINEERING COMPANIES.
AMERICAN PUBLIC TRANSPORTATION ASSOCIATION.
AMERICAN ROAD AND TRANSPORTATION BUILDERS ASSOCIATION.
ASSOCIATION OF INDEPENDENT PASSENGER RAIL OPERATORS.
RAILWAY SUPPLY INSTITUTE.
U.S. HIGH SPEED RAIL ASSOCIATION.

□ 2130

Mr. PRICE of North Carolina. The administration has been very clear that it strongly opposes provisions in this bill that would restrict the development of high-speed rail. Moreover, the California congressional delegation has overwhelmingly opposed these restrictive riders in the past, and I am happy to stand with them again tonight, urging my colleagues to oppose this amendment.

I yield back the balance of my time.

Mr. DENHAM. I yield 1½ minutes to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Madam Chair, I thank my colleague, Mr. DENHAM, for his hard work on curtailing this waste of taxpayer money.

Here are just a few of the headlines currently on the Internet about California's high-speed rail project: ''Why California's High-Speed Rail is Off Track''; ''High-Speed Rail Brings Fears of Gutted Communities and Noise''; ''High-Speed Rail Foes Cite Noise, Property Value Concerns''; ''Protesters Rail Against High-Speed Rail Route Proposal''; ''High-Speed Rail Opponents Expected to Converge at LA Meeting''; finally, ''What an Unholy Mess This California Bullet Train Meeting is Going to Be.''

This is all reflected in southern California planning for a route that isn't even planned yet; yet billions of dollars of the California taxpayers—but even more importantly, in this body, Federal taxpayer dollars—are being planned and spent and will be spent if we don't stop this here tonight for a route, for a plan, for a project that isn't even a plan.

You couldn't send astronauts into outer space without a plan to bring them back, yet they are hell-bent on this project to spend the money as fast as they can without having any idea where the route is going to go; and we are seeing people all over California protest it, for a project that has tripled in price from what the voters saw as Prop 1A just 7 years ago. Yet here we are 7 years later with a groundbreaking that consists of knocking down some of the houses and buildings without any track being laid, without a real project they can actually count on being a true route under Prop 1A from San Francisco to Los Angeles. We need to put a stop to this now.

Mr. DENHAM. Madam Chair, as you have heard, this project is $70 billion over budget. It has a shortfall of $87 billion. If my colleagues in California, if the minority party of this body would like to continue on with this project, then where is the $87 billion? I don't see a proposal from them, nor do I see a proposal from the Governor for $87 billion.

We have priorities in the State. As you may know, we are going through a big drought in California. We would love to create the jobs. Let's utilize the billions of dollars that would be spent on high-speed rail over the next several decades on water projects that would actually help our infrastructure, our agriculture, as well as people throughout California.

There is a good way to spend taxpayer dollars. This is not it. We cannot afford to leave the next generation with an $87 billion hole that will continue to not only put California in further debt, but will continue to show that our priorities are misguided.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DENHAM).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PETERS

Mr. PETERS. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used in contravention of Executive Order 11246 (relating to Equal Employment Opportunity).

Mr. PETERS (during the reading). Madam Chair, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

Mr. DIAZ-BALART. Objection.

The Acting CHAIR. Objection is heard.

The Clerk will read.

The Clerk continued to read.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California (Mr. PETERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. PETERS. Madam Chair, no American should be fired, denied a job or a place to live for being who they are or because of whom they love. Every American deserves to be treated equally and with dignity.

My amendment would make a simple change to the text of the bill but make an important difference in the lives of LGBT Americans across the country. President Obama signed an executive order in July 2014 to prohibit Federal contractors from discriminating on the basis of sexual orientation or gender identity against their employees or those seeking employment. This amendment would affirm that order by ensuring that no funds in the bill are used to conflict with the President's rule. It would demonstrate to the American people that Congress supports fairness and equality for all.

Today, only 18 States and the District of Columbia have nondiscrimination protections for LGBT communities in sexual orientation and gender identity in both employment and housing. That means that in a number of States an LGBT individual can get married in the morning and fired from his or her job or denied an application in the afternoon for no other reason than the change in marital status. That is unacceptable. As a country that believes in equality for all people, we must do better.

June is Pride Month, and in cities and towns across the country, millions

of Americans will celebrate the vibrant diversity of the LGBT communities who are enriching our society. As we look forward toward full nondiscrimination, we can help provide at least a small window of equality for all members of the LGBT community by passing this amendment. I urge my colleagues to stand on the side of equality and against discrimination and support this amendment.

I yield 2 minutes to the gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. I thank the gentleman for yielding.

Madam Chair, I simply want to commend him for offering this amendment and offer my enthusiastic support.

In various ways, we ensure that the Federal Government doesn't pay substandard wages, doesn't do other things that are detrimental in the workplace or that set a low bar, set a low standard. This amendment adds to that, I think, in a very constructive way. It adds to worker protections by preventing any company that does business with the Government from firing employees based on who they are and whom they love.

I commend the gentleman. It is a fine amendment. I hope colleagues will support it.

Mr. PETERS. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. PETERS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MULLIN. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. MULLIN

Mr. MULLIN. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be used to enforce subpart B of part 750 of title 23, Code of Federal Regulations, regarding signs for service clubs and religious notices as defined in section 153(p) of such part.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Oklahoma and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oklahoma.

Mr. MULLIN. Madam Chair, churches and civic groups are in danger of being forced to tear down their informational highway signs. Some of these signs have stood for decades. The current law states that religious and civic groups can no longer have signs larger than 8 square feet. That is 2 feet by 4 feet. However, ''Free Coffee'' signs in the same law are unlimited in size.

My amendment would allow churches and civic organizations to keep their signs that are larger than 8 square feet. This is a reasonable amendment. It would be beneficial to the safety of the traveling public and allow our Federal Government to focus its resources on more critical infrastructure uses. We need to be focusing on repairing our roads and bridges, not tearing down church signs.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chair, this amendment would suspend enforcement of rules governing the size of billboards for religious organizations and service clubs. These rules have been in place for a long time—since 1975.

As I understand it, the gentleman is seeking to increase the allowable size of billboards for religious organizations and service clubs from 8 square feet to 32 square feet. This isn't the appropriate place to deal with this issue. We have barely heard of it before it was offered. We certainly haven't had extensive deliberations, haven't heard from State authorities, local authorities, people who have a stake in this. It needs to be reviewed and debated within the context of the surface transportation authorization.

The authorizing committees are in the midst of working on the new authorization bill right now. That is where I would suggest the gentleman might want to take his concerns. This is not the place here tonight. I urge colleagues to reject this amendment.

I yield back the balance of my time.

Mr. MULLIN. I yield 2 minutes to the gentleman from Oklahoma (Mr. BRIDENSTINE), my colleague.

Mr. BRIDENSTINE. Madam Chair, I rise today to give my very strong support to this amendment offered by my colleague from Oklahoma.

The Federal Government creates a regulation. That regulation says that, if you are a church or if you are a civic group or if you are some kind of community organization, you are limited in the size of your sign to 8 square feet, 2 feet by 4 feet; however, if you are a billboard company, you can have 25 feet by 60 feet. This is discrimination against churches and civic groups that I think is inappropriate.

I would also say that the State of Oklahoma has weighed in. The State of Oklahoma would like to regulate the signs in the State of Oklahoma. I think that is absolutely not only appropriate, but I think it is constitutional that the State have the right to regulate the signs in its own State.

Here is the sad part that I would like to let people know and understand. If the State of Oklahoma chooses not to enforce this Federal regulation that is discriminatory, then the State of Oklahoma risks losing 10 percent of its Federal funding for roads. This is the Federal Government using Oklahoma taxpayer dollars against the State of Oklahoma. It is Federal bullying.

This amendment offered by my colleague from Oklahoma is a good amendment. I fully support it, and I highly recommend my colleagues support it.

Mr. MULLIN. Our churches and our civic organizations have better ways to spend their limited resources than tearing down signs. Our States would have more time on their hands to be looking at our roads and bridges if they didn't have to go out and enforce a law that our State doesn't even want. If we could simply be focusing on the important issues, like our roads and our bridges, not wasting Federal dollars and State dollars on enforcing an out-of-date law, this wouldn't even simply be an issue.

I would urge my colleagues to support this commonsense amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oklahoma (Mr. MULLIN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GROTHMAN

Mr. GROTHMAN. I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act under the heading ''Department of Housing and Urban Development—Housing Programs—Project-Based Rental Assistance'' may be used for any family who is not an elderly family or a disabled family (as such terms are defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) and who was not receiving project-based rental assistance under section 8 of such Act (42 U.S.C. 1437f) as of October 1, 2015, and the amount otherwise provided under such heading is reduced by $300,000,000.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Wisconsin and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

□ 2145

Mr. GROTHMAN. The first thing we should look at when we look at this budget is cost, and this is one program that is going up in cost. We are still in a position in this budget in which we anticipate borrowing about 14 percent. We have the $18 trillion debt.

This amendment will reduce the cost in this budget by $300 million, which by itself is nothing to sneeze at, but the real reason for this amendment is the perverse incentives in Section 8 and other tenant-based rental assistance programs.

All of these programs are conditioned upon, first, having little or no income. It is wrong to encourage people not to work. As I get around my district, I find so many employers who cannot find employees today, in part, because they feel it pays better not to work.

Secondly, and more importantly, this program, like so many other programs designed to help poor people, has a huge marriage penalty associated with it. In order to get this low-income housing, it almost encourages one—it does encourage one—to have children without a mother and father at home. To continue this program or even expand this program to more people is to just destroy the moral fiber of America.

This amendment is tailored to not include or not reduce low-income housing for the elderly or disabled. I am aware of the fact that we have people in this country on Social Security maybe making $500 a month, and they may find it very difficult to find anywhere else to live, so I am not chipping away at that part of the program.

I will give you an example. In my district, I talked to someone who ran one of these low-income projects—not Section 8, but more of a project-based one—and they were very proud of what nice, low-income housing it was. It was very nice, very generous. They pointed out the only thing you needed to do to get these apartments for $25 a month was to not have a job. Now, can you imagine anything so foolish as to encourage people to not have a job?

In any event, I hope this amendment passes. I hope there is nobody else in this room who would have any objection to this commonsense amendment designed to restore the moral fiber that made America great.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chair, if there is an air of familiarity about this amendment and what the gentleman has just said about his amendment, listeners may want to tune in and remind themselves of virtually this same amendment being offered last week.

I should begin by saying that tenant-based Section 8 housing—a program, by the way, that conservatives should love because it is market based and the tenants pay a substantial portion of their income in rent—tenant-based Section 8 housing in this bill is just barely held even, with more or less level funding. Of course, other things in the bill are treated much worse.

The gentleman apparently thinks there is too much money in this bill, too much investment, with thousands on waiting lists across this country. This amendment would certainly increase those waiting lists.

Now, last week, it was $614 million cut; this week, it is a $300 million cut—so not quite as many people would be evicted. This week, the gentleman is saying that the elderly and the disabled would not be evicted. Who does that leave? It leaves everybody else; it leaves working families.

I ask anyone in this body to go to their local community house authority and ask about those waiting lists. Ask how many people are waiting for a roof over their head who are willing to work, willing to participate in financing, but need a leg up, the kind of support that tenant-based and project-based Section 8 represents.

It escapes me why the gentleman would offer this amendment in a bill that is already at rock bottom.

I urge my colleagues to reject this amendment, just as we did last week, and I yield back the balance of my time.

Mr. GROTHMAN. I do not give up hope that, by the time this budget rolls around next year, you see the wisdom of the amendment.

I think a lot of people get confused when they find waiting lists for this sort of program. If you are handing out apartments for $25 a month, of course, there are going to be waiting lists; so that is not surprising. Even then, there are certain areas in my State, in my district, where they are trying to find people who are not in the local area to fill these units because there is an excess of units.

Nevertheless, I think you want to think about the perverse incentives you have in a program in which, the more you work, the more your rent goes up. In order to get in, in the first place, you almost can't work at all; and, secondly, what the long-term effect on our society is if you would tell somebody that, if they raise a child out of wedlock, you get a free, air-conditioned, maybe two-bedroom, two-bath apartment, but if you get married to somebody with a job, you lose that apartment—is that the type of incentive we want for the next generation?

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. GROTHMAN).

The amendment was rejected.

AMENDMENT OFFERED BY MR. GROTHMAN

Mr. GROTHMAN. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act under the heading ''Department of Housing and Urban Development—Public and Indian Housing Programs—Tenant-Based Rental Assistance'' may be used for any family who is not an elderly family or a disabled family (as such terms are defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) and who was not receiving tenant-based rental assistance under section 8 of such Act (42 U.S.C. 1437f) as of October 1, 2015, and the amount otherwise provided under such heading is reduced, the amount specified under such heading for renewals of expiring section 8 tenant-based annual contributions contracts is reduced, and the amount specified under such heading for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program) is reduced, by $300,000,000, $210,000,000, and $90,000,000, respectively.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from Wisconsin and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. GROTHMAN. I think all we talked about in that last amendment applies to this amendment, with one additional thing that people should find offensive, because here we are dealing with project-based rental assistance.

Not only are we encouraging some people not to work very hard, not only are we encouraging people not to raise children in an old-fashioned nuclear family, we are also kind of having a strong element of corporate welfare here, too, which is something I don't care for.

Over time, we have this kind of industry growing up in which you operate low-income housing. In some ways, I assume people are entering into it because it is more profitable than a pure, free market sort of thing; and I would think that people who are opposed to corporate welfare ought to be opposed to it for that reason as well.

I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chair, here we go again with, once again, a reprisal of the amendment offered last week and rejected.

The amendment offered tonight separates that amendment in two: tenant-based Section 8, project-based Section 8.

The argument does apply, I think, to any of this assisted housing. It behooves us to reflect on some numbers, I think. On any given night, 575,000 of our constituents are homeless, absolutely homeless. That is 50,000 veterans, by the way.

They get on these waiting lists for these Section 8 projects, and the waiting lists often have thousands of names. They finally get into Section 8. They are paying a large proportion of their income in rent. They are struggling to get a leg up and struggle to find jobs.

By the way, how likely is one to find a job if one is homeless? If you are talking about self-reliance, isn't it better to have a roof over your head and have some of the basics of life so you can go out and seek work?

Evictions, we are talking about evictions here. How does kicking out children and how does kicking out families promote marriage, for goodness' sake? How does it promote wedlock? How does it promote self-reliance? It is likely to promote destitution and desperation.

We are a better country than this. I plead with colleagues, look at this amendment closely. Think about what we stand for. Think about the fact that this bill is already inadequate. Let's not make it worse.

Reject this amendment, and I yield back the balance of my time.

Mr. GROTHMAN. First of all, I would like to clarify something in the amendment. The amendment does not apply to people who were receiving rental assistance—and neither did the other amendment—prior to October 1 of this year. It is not a matter of kicking people out; it is a matter of not putting any further people on.

Furthermore, I think we have to discuss how generous this benefit is. There are so many people in our society who are living with parents, living with other family members, living with roommates, and working to afford that rent. To give somebody a freestanding apartment—some of these are very nice apartments, two-bedroom, two-bath, air-conditioned apartments—without having to work at all to receive that apartment is just a horrible incentive.

I would ask the gentleman to go back in his district and talk to people who live in the neighborhoods where they have these subsidized projects. One of the things I find is that sometimes people who live in maybe high-end areas and are not familiar with these get confused.

I think, if you talk to people who know people who live in this subsidized housing, you will have no problem finding many anecdotes of people who are clearly not hurting materially; and, in order to keep their subsidies going, they cannot work, work harder, or get raises. Above all, they can't get married.

I think you have to ask yourself whether we ought to continue these programs that are around year after year after year or whether it is high time to look at these programs; change the underlying qualifications; change the time limits; change the amount that has to be paid; and, quite frankly, also sometimes look at the very generous accommodations that the government is providing, quite frankly, more generous accommodations than a lot of people who are working quite hard have.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. GROTHMAN).

The amendment was rejected.

AMENDMENT OFFERED BY MR. ISSA

Mr. ISSA. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be used to acquire a camera for the purpose of collecting or storing vehicle license plate numbers.

The Acting CHAIR. Pursuant to House Resolution 287, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. ISSA. Madam Chair, this amendment reflects a simple principle. The government does not and should not have unchecked power to track American citizens.

There are many very legitimate reasons to observe license plates using camera technology. Every day in America, law enforcement drives through neighborhoods looking for stolen cars. Cameras and computers identify the number of that plate and run it against a database to see if it is stolen.

□ 2200

But again, there is no reason to store that data. The bulk collection of the location of every American's automobile is well beyond a reasonable standard. It is a difficult one, but it is simple in this case.

The Federal Government should not provide money for cameras that indiscriminately bulk collect information on where you are at all times. I hope that this amendment will spark a healthy dialogue similar to the one we had on the PATRIOT Act, one in which we agreed that with a court order you can collect this kind of data, with a court order you can seek it, with a known database of stolen cars or wanted criminals, you can compare a camera image.

But the simple collection, in bulk, of your location of your car, 24 hours a day, using thousands, tens of thousands or perhaps millions of cameras, is far too ''1984'' for Members of this body or the American people.

Madam Chair, I reserve the balance of my time.

Mr. PRICE of North Carolina. Madam Chair, I rise in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chair, this amendment is well-intentioned, I realize, but I think it is an overreach and certainly not appropriate for this appropriations bill.

Records of license plate information can serve as a helpful clue to investigators. They can produce leads in criminal cases. This information is also used routinely by law enforcement and by the National Center for Missing and Exploited Children to help find missing children.

I understand there are legitimate privacy concerns. I share those concerns. But there is already a Federal law that governs the use of such data. The data is not used to track citizens in real time, despite what some assert.

Putting restrictions on law enforcement's ability to obtain and use this license plate information without really fully exploring the facts or giving due consideration to the consequences, this needs to be done by the appropriate committees. But doing it here tonight seems risky and unreasonable, actually, to expect us to legislate on this matter in the context of this appropriations bill.

Madam Chair, I will insert into the RECORD a letter from the Fraternal Order of Police and other law enforcement entities asking Congress not to limit the use of this information.

NATIONAL FRATERNAL
ORDER OF POLICE,
February 23, 2015.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate, Washington, DC.
Hon. HARRY M. REID,
Minority Leader, U.S. Senate, Washington, DC.
Hon. JOHN A. BOEHNER,
Speaker of the House, House of Representatives Washington, DC.
Hon. NANCY P. PELOSI,
Minority Leader, House of Representatives, Washington, DC.

DEAR SENATOR MCCONNELL, MR. SPEAKER, SENATOR REID AND REPRESENTATIVE PELOSI: I am writing on behalf of the members of the Fraternal Order of Police to express our concern about continued efforts to portray automated license plate recognition (ALPR) as an ongoing, national real-time tracking system operated by law enforcement. This is emphatically not the case.

We believe that there is a fundamental misunderstanding as to how ALPR technology is deployed and used by law enforcement and other public safety agencies. Many people, including members of Congress, are under the impression that this technology is being used by our national security apparatus to geotrack our citizens and monitor their movements. Indeed, a Dear Colleague letter circulated last year in support of an amendment defunding this technology was entitled, ''Stop NSA-like geotracking of innocent Americans.''

This is not the case. To begin with, ALPR data is simply a photograph of a vehicle's license plate in a public place at a particular point in time. Geotracking is the use of Global Positioning System (GPS) data to track over time the movement of a specific electronic device capable of emitting GPS location information. Conversely, ALPR data is collected anonymously without personally identifying information. A government agency with access to ALPR data may connect that data to personal information from a State's vehicle registration system, but if they do so without a legitimate law enforcement or public safety purpose, then they are in violation of the Drivers' Privacy Protection Act. Any other use of the data would be an unjustifiable violation of privacy and Federal law.

Thousands of local, State and Federal law enforcement agencies use ALPR data every day to generate leads in criminal investigations, apprehend murderers, respond to Amber and Silver alerts, find missing children, recover stolen vehicles, and protect our borders. Even something as simple as the use of cameras at traffic lights and toll booths has a beneficial impact on the safety of our roadways.

The FOP would also submit that the only difference between the use of ALPR technology and an officer taking down license plate information along with the time, date and location is the efficiency by which the data is collected. Every State in the Republic mandates that every vehicle have a mounted and clearly visible license plate for the specific purpose of contributing to public safety, whether the data is collected by a fellow citizen, law enforcement officer or camera.

With these facts in mind, it is our hope that Congress will recognize the substantial benefits this technology makes to public safety and oppose any legislation or amendment that would restrict the use of ALPR by law enforcement.

On behalf of the more than 335,000 members of the Fraternal Order of Police, I thank you

for your consideration of our views. If I can provide any further information about law enforcement's use of ALPR technology, please do not hesitate to contact me or Executive Director Jim Pasco in my Washington office.

Sincerely,

CHUCK CANTERBURY,
National President.

MARCH 9, 2015.

Hon. JOHN BOEHNER,
Speaker.
Hon. NANCY PELOSI,
Minority Leader,
House of Representatives.
Hon. MITCH MCCONNELL,
Majority Leader.
Hon. HARRY REID,
Minority Leader, U.S. Senate, Washington, DC.

DEAR SPEAKER BOEHNER, LEADER PELOSI, LEADER MCCONNELL, AND LEADER REID: We are deeply concerned about efforts to portray automated license plate recognition (ALPR) technology as a national real-time tracking capability for law enforcement. The fact is that this technology and the data it generates is not used to track people in real time. ALPR is used every day to generate investigative leads that help law enforcement solve murders, rapes, and serial property crimes, recover abducted children, detect drug and human trafficking rings, find stolen vehicles, apprehend violent criminal alien fugitives, and support terrorism investigations.

There is a misconception of continuous government tracking of individuals using ALPR information. This has led to attempts to curtail law enforcement's use of the technology without a proper and fair effort to truly understand the anonymous nature of the data, how it is used, and how it is protected.

We are seeing harmful proposals—appropriations amendments and legislation—to restrict or completely ban law enforcement's use of ALPR technology and data without any effort to truly understand the issue. Yet, any review would make clear that the value of this technology is beyond question, and that protections against mis-use of the data by law enforcement are already in place. That is one of the reasons why critics are hard-pressed to identify any actual instances of mis-use.

If legislative efforts to curtail ALPR use are successful, federal, state, and local law enforcement's ability to investigate crimes will be significantly impacted given the extensive use of the technology today.

We call on Congress to foster a reasonable and transparent discussion about ALPR. We believe strong measures can be taken to ensure citizens' privacy while enabling law enforcement investigators to take advantage of the technology. Strict data access controls, mandatory auditing of all use of ALPR systems, and regular reporting on the use of the technology and data prevent misuse of the capability while enabling law enforcement to make productive use of it. Adoption and enforcement of strong policies on the use of ALPR and other technologies by individual law enforcement agencies would also help.

We strongly urge members of the House and Senate to understand and recognize the substantial daily benefits of this technology to protect the public and investigate dangerous criminals. We urge opposition to any bill or amendment that would restrict the use of ALPR without full consideration of the issue.

Sincerely,

J. Thomas Manger, Chief of Police, Montgomery County Police Department, President, Major Cities Chiefs Police Association; Chief Richard Beary, President, International Association of Chiefs of Police; Mike Sena, Director, Northern California Regional Intelligence Center, President, National Fusion Center Association; Ronald C. Sloan, Director, Colorado Bureau of Investigation, President, Association of State Criminal Investigative Agencies; Sheriff Donny Youngblood, President, Major County Sheriffs' Association; Bob Bushman, President, National Narcotic Officers' Associations' Coalition; Jonathan Thompson, Executive Director, National Sheriffs' Association; William Johnson, Executive Director, National Association of Police Organizations; Mike Moore, President, National District Attorneys Association; Andrews Matthews, Chairman, National Troopers Coalition.

Mr. PRICE of North Carolina. I urge opposition to the amendment, and I yield back the balance of my time.

Mr. ISSA. Madam Chair, in closing, I respect the gentleman's opinion, but we are not legislating on this appropriations bill. What we are doing is determining that the relevant committees of jurisdiction have not authorized broad collection of data of the American people.

The committees of jurisdiction have not authorized this sort of proactive tracking of people because, at some point, someday there may be a reason to use that database. So, in fact, it is perfectly appropriate not to spend the money, not to authorize the money until or unless the authorizing committees have made a thorough decision of what should be authorized and what safeguards need to be in order.

So my amendment will simply limit, until such time as a legislating amendment or authorization from a committee can, in fact, ensure that we both authorize law enforcement to collect and protect the privacy of American citizens because, ultimately, these are the taxpayer dollars of the American citizens and the privacy embodied in the Constitution and guaranteed to every citizen.

Therefore, I insist that Members consider voting for an amendment that recognizes, just as the minority clearly said, we have not yet had a debate on the basis under which we should pay for the bulk collection against the American people without their permission or safeguards of their rights.

I urge support for the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. ISSA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. ISSA. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

Mr. PRICE of North Carolina. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. PRICE of North Carolina. Madam Chair, we are coming to the end of several days of floor debate on the 2016 Transportation, Housing and Urban Development Appropriations bill.

I want to, again, express my appreciation to Chairman DIAZ-BALART, subcommittee members from both sides of the aisle, and our remarkable, dedicated staff for all the hard work that has gone into this bill and for the orderly and civil character of our floor deliberations.

I very much wish that all of this work and all of our efforts at cooperation were being more adequately rewarded, but they are not. And that is not the chairman's fault. It is the fault of the majority's profoundly misguided and flawed budget policy, a policy that has left this bill a mere shadow of what it should be and has decimated the investments a great country should be making.

Make no mistake, Madam Chair, our roads, our highways are crumbling. One out of every nine bridges in this country is structurally deficient and in need of repair or replacement.

Americans spend the equivalent of one work week a year sitting in congestion caused by overcrowded highways. The capital backlog for our transit systems is nearly $78 billion.

And make no mistake, our public housing resources don't meet the basic needs of millions of vulnerable and low-income Americans. On any given night, 575,000 of our constituents, including more than 50,000 veterans, are homeless. The maintenance backlog for public housing approaches $25 billion.

Madam Chair, this is a defining crisis for our generation. This bill, which is intended to help improve housing and transportation options and create jobs for hard-working American families, will, instead, dig the hole deeper by cutting everything from safety programs to transportation construction grants to maintenance budgets for public housing.

It would be bad enough if the cuts were limited to our transportation and housing systems, but Republicans have taken the same shortsighted approach with each of this year's domestic appropriations bills.

Unfortunately, the majority has targeted domestic appropriations to bear the entire brunt of deficit reduction. That means deep cuts, not just to our transportation and housing infrastructure but also to research support, programs that make college more affordable, the very things that make this country the envy of the world.

Meanwhile, the majority lacks the courage to address the real drivers of the deficit, which I think most Members of this Chamber realize are tax expenditures and entitlement spending.

In the 1990s, we achieved budget surpluses as the result of concerted bipartisan efforts to balance the budget through a comprehensive approach. We actually paid off $400 billion of the national debt.

Until we have a similar budget agreement this year, one that sets responsible funding and revenue levels across

the board, we cannot write a bill that addresses our country's crumbling roads and bridges, that brings our rail system up to first-world standards, or that provides shelter for America's elderly, disabled, and other vulnerable populations.

In fact, we cannot make any of the investments that we simply have to make to continue as the greatest country in the world. So I implore my colleagues to vote ''no'' on this short-sighted, irresponsible bill, but beyond that, to consider the long-term consequences of the fiscal course we are on. We simply have to make a correction for our country's sake.

I yield back the balance of my time.

Mr. DIAZ-BALART. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Madam Chair, I want to thank the ranking member, first, for his kind words towards me right now but, more importantly, for his willingness to work with me, to spend the time, the effort. Both he and his staff, the committee staff, have, frankly, worked awfully hard on making sure we do the best job that we can, and I am grateful for that.

I just very briefly want to just mention that this bill, this is a bill that prioritizes funding and funds our country's priorities. It is a balanced bill.

And very important, Madam Chair, this is a bill, that, yes, it does not raise taxes.

Now, I know that a lot of folks have talked about the President's requests and the President's requests. And the President's requests for this area are much higher in many areas than what this bill is funding.

But let's remember a couple of things. The President has massive taxes, tax increases in his proposals, number one. And also, that this bill adheres to not only the budget that was passed by Congress, House and Senate, but this bill adheres to the law, the law that was passed by Congress and signed by the President of the United States, the so-called ''sequester'' law.

So if we go above and beyond that level, which some people, I guess, don't remember, it is fake. It gets sequestered.

So, Madam Chair, again, I thank the ranking member for his hard work.

This is a balanced bill. It is a good bill. It is a responsible bill. It pays and funds the priorities of this great country. And I am going to ask for our colleagues to give us a favorable vote on this fine bill.

I yield back the balance of my time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order:

Amendment by Mr. YOHO of Florida.

Amendment by Mr. BROOKS of Alabama.

Amendment by Mr. HULTGREN of Illinois.

Amendment by Mr. MEEHAN of Pennsylvania.

Amendment by Mr. GARRETT of New Jersey.

Amendment by Mr. ELLISON of Minnesota.

Amendment No. 28 by Mr. EMMER of Minnesota.

Amendment by Mr. PETERS of California.

Amendment by Mr. ISSA of California.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. YOHO

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. YOHO) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 244, noes 181, not voting 8, as follows:

[Roll No. 319]

AYES—244

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—181

Aguilar
Ashford
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz

Wasserman Schultz
Watson Coleman
Welch
Waters, Maxine
Wilson (FL)
Yarmuth

NOT VOTING—8

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Hurt (VA)
Maloney, Carolyn

□ 2237

Messrs. NORCROSS and CONNOLLY changed their vote from ''aye'' to ''no.''

Ms. STEFANIK, Messrs. CALVERT and NUNES changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. BROOKS OF ALABAMA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Alabama (Mr. BROOKS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 246, noes 180, not voting 7, as follows:

[Roll No. 320]

AYES—246

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—180

Aguilar
Ashford
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
Denham
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Watson Coleman
Welch
Waters, Maxine
Wilson (FL)
Yarmuth

NOT VOTING—7

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Maloney, Carolyn

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2242

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. HULTGREN

The Acting CHAIR. The Chair will remind Members these are 2-minute votes.

The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. HULTGREN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 240, noes 186, not voting 7, as follows:

[Roll No. 321]

AYES—240

Abraham
Aderholt
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Bishop (UT)
Black
Blackburn
Blum
Bonamici
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buchanan
Buck
Bucshon
Burgess
Bustos
Byrne
Calvert
Carter (GA)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Comstock
Conaway
Cook
Courtney
Cramer
Crawford
Crowley
Davis, Rodney
DelBene
Dent
DeSantis
DesJarlais
Dingell
Donovan
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers (NC)
Emmer (MN)
Eshoo
Esty
Farenthold
Farr
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Gutiérrez
Hardy
Harper
Harris
Hartzler
Hastings
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Lipinski
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Massie
McCarthy
McCaul

McClintock
McCollum
McHenry
McMorris Rodgers
McNerney
Meadows
Meng
Mica
Miller (FL)
Moolenaar
Mooney (WV)
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Neugebauer
Noem
Nolan
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Ruiz
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tipton
Wagner
Walberg
Walden
Walker
Walorski
Walz
Wasserman Schultz
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—186

Aguilar
Barton
Bass
Beatty
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Blumenauer
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Butterfield
Capps
Capuano
Carney
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Collins (NY)
Connolly
Conyers
Cooper
Costa
Costello (PA)
Crenshaw
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
Denham
DeSaulnier
Deutch
Diaz-Balart
Doggett
Dold
Doyle, Michael F.
Ellison
Engel
Fattah
Fudge
Gabbard
Gallego
Garamendi
Graham
Granger
Grayson
Green, Al
Green, Gene
Grijalva
Hahn
Hanna
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kinzinger (IL)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Matsui
McDermott
McGovern
McKinley
McSally
Meehan
Meeks
Messer
Miller (MI)
Moore
Nadler
Napolitano
Neal
Newhouse
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Pocan
Polis
Price (NC)
Quigley
Rangel
Reichert
Rice (NY)
Richmond
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Ruppersberger
Rush
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Shuster
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tiberi
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walters, Mimi
Waters, Maxine
Watson Coleman
Welch
Westmoreland
Wilson (FL)
Yarmuth

NOT VOTING—7

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Maloney, Carolyn

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2247

Ms. WILSON of Florida changed her vote from ''aye'' to ''no.''

Mses. EDWARDS, SINEMA, Messrs. MOULTON and JENKINS of West Virginia changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. MEEHAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. MEEHAN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 199, noes 227, not voting 7, as follows:

[Roll No. 322]

AYES—199

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Benishek
Bilirakis
Bishop (UT)
Black
Blackburn
Blum
Boustany
Boyle, Brendan F.
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Bucshon
Burgess
Byrne
Calvert
Carney
Carter (GA)
Carter (TX)
Chaffetz
Clarke (NY)
Clawson (FL)
Coffman
Collins (NY)
Comstock
Cook
Costello (PA)
Courtney
Crawford
Crenshaw
Curbelo (FL)
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Engel
Esty
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Griffith
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hensarling
Hill
Himes
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jeffries
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Katko
Keating
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
Lamborn
Lance
Larson (CT)
Latta
LoBiondo
Loudermilk
Love
Lowey
Lummis
Lynch
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Moolenaar
Mullin
Mulvaney
Murphy (PA)
Neal
Neugebauer
Newhouse
Nugent
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Pitts
Poliquin
Price, Tom
Ratcliffe
Reed
Renacci
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney (FL)
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Scalise
Schweikert
Scott, Austin
Sessions
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Upton
Valadao
Walden
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—227

Aguilar
Ashford
Barton
Bass
Beatty
Bera
Beyer
Bishop (GA)
Bishop (MI)
Blumenauer
Bonamici
Bost
Brady (PA)
Brooks (AL)
Brown (FL)
Brownley (CA)
Buchanan
Buck
Bustos
Butterfield
Capps
Capuano
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chu, Judy
Cicilline
Clark (MA)
Clay
Clyburn
Cohen
Cole
Collins (GA)
Conaway
Connolly
Conyers
Cooper
Costa
Cramer
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Edwards
Ellison
Eshoo
Farr
Fattah
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Grothman
Gutiérrez
Hahn
Hartzler
Hastings
Heck (NV)
Heck (WA)
Herrera Beutler
Hice, Jody B.
Higgins
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Israel
Jackson Lee
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Joyce
Kaptur
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
LaMalfa
Langevin
Larsen (WA)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Long
Lowenthal
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meadows
Miller (MI)
Mooney (WV)
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Noem
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Polis
Pompeo
Posey
Price (NC)
Quigley
Rangel
Reichert
Ribble
Rice (NY)
Rice (SC)
Richmond
Rokita
Ross
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Shimkus
Sinema
Sires
Slaughter
Smith (MO)
Smith (WA)
Speier
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner

Walberg
Walker
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Woodall
Yarmuth
Young (IN)
Zinke

NOT VOTING—7

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Maloney, Carolyn

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2251

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. GARRETT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 231, noes 195, not voting 7, as follows:

[Roll No. 323]

AYES—231

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOES—195

Aguilar
Ashford
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boustany
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Granger
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Rigell
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Turner
Upton
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Maloney, Carolyn

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2254

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ELLISON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. ELLISON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 182, noes 243, not voting 8, as follows:

[Roll No. 324]

AYES—182

Aguilar
Ashford
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)

Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—243

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—8

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Maloney, Carolyn
Stutzman

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2257

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 28 OFFERED BY MR. EMMER OF MINNESOTA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. EMMER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 212, noes 214, not voting 7, as follows:

[Roll No. 325]

AYES—212

Abraham
Aderholt
Allen
Amash
Babin
Barletta
Barr
Barton
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Katko
Kelly (MS)
King (IA)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thornberry
Tiberi
Tipton
Trott
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Westmoreland
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zinke

NOES—214

Aguilar
Amodei
Ashford
Bass
Beatty
Benishek
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Granger
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Harper
Hastings
Heck (WA)
Higgins
Hill
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Keating
Kelly (IL)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kinzinger (IL)
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Marino
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Tsongas
Turner
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Whitfield
Wilson (FL)
Yarmuth
Young (AK)
Zeldin

NOT VOTING—7

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Maloney, Carolyn

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2301

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PETERS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. PETERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 241, noes 184, answered ''present'' 1, not voting 7, as follows:

[Roll No. 326]

AYES—241

Aguilar
Amash
Ashford
Bass
Beatty
Benishek
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (IN)
Brown (FL)
Brownley (CA)
Bucshon
Bustos
Butterfield
Calvert
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Coffman
Cohen
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Edwards
Ellison
Emmer (MN)
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Guinta
Gutiérrez
Hahn
Hanna
Hastings
Heck (NV)
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Hurd (TX)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Jolly
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kinzinger (IL)
Kirkpatrick
Knight
Kuster
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McKinley
McNerney
McSally
Meehan
Meeks
Meng
Messer
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Polis
Price (NC)
Quigley
Rangel
Reed
Reichert
Renacci
Rice (NY)
Richmond
Rigell
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roybal-Allard
Royce
Ruiz
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Tiberi
Titus
Tonko
Torres
Tsongas
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walden
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (AK)
Young (IN)
Zeldin

NOES—184

Abraham
Aderholt
Allen
Amodei
Babin
Barletta
Barr
Barton
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Buchanan
Buck
Burgess
Byrne
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cramer
Crawford
Crenshaw
Culberson
DeSantis
DesJarlais
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Hardy
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt (VA)
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kline
Labrador
LaMalfa
Lamborn
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris Rodgers
Meadows
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Pompeo
Posey
Price, Tom
Ratcliffe
Ribble
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Roskam
Ross
Rothfus
Rouzer
Russell
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Wagner
Walberg
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Zinke

ANSWERED ''PRESENT''—1

Lipinski

NOT VOTING—7

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Maloney, Carolyn

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2305

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ISSA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. ISSA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 297, noes 129, not voting 7, as follows:

[Roll No. 327]

AYES—297

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barr
Barton
Benishek
Bera
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brownley (CA)
Buchanan
Buck
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carter (GA)
Carter (TX)
Castro (TX)
Chabot
Clark (MA)
Clarke (NY)
Clawson (FL)
Clay
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Conaway
Connolly
Conyers
Cook
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
DeGette
DelBene
Denham
DeSantis
DesJarlais
Diaz-Balart
Dingell
Doggett
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Eshoo
Farenthold
Fattah
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Gabbard
Garrett
Gibbs
Gibson
Gohmert
Gosar
Gowdy
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Gutiérrez
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Hinojosa
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt (VA)
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce
Kaptur
Keating
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Larson (CT)
Latta
Lieu, Ted
LoBiondo
Lofgren
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McGovern
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (PA)
Neal
Neugebauer
Newhouse

Noem	Rooney (FL)	Thornberry
Nolan	Roskam	Tiberi
Norcross	Ross	Tipton
Nugent	Rothfus	Titus
Nunes	Rouzer	Trott
O'Rourke	Royce	Turner
Olson	Ruppersberger	Upton
Palazzo	Russell	Valadao
Palmer	Ryan (WI)	Vargas
Pascrell	Salmon	Veasey
Paulsen	Sánchez, Linda T.	Vela
Pearce	Sanchez, Loretta	Wagner
Perlmutter	Sanford	Walberg
Perry	Scalise	Walden
Peterson	Schweikert	Walker
Pingree	Scott (VA)	Walorski
Pittenger	Scott, Austin	Walters, Mimi
Pitts	Sensenbrenner	Walz
Poe (TX)	Sessions	Waters, Maxine
Poliquin	Shimkus	Weber (TX)
Polis	Shuster	Welch
Pompeo	Simpson	Wenstrup
Posey	Sinema	Westerman
Price, Tom	Sires	Westmoreland
Ratcliffe	Smith (MO)	Whitfield
Reed	Smith (NE)	Williams
Reichert	Smith (NJ)	Wilson (SC)
Renacci	Smith (TX)	Wittman
Ribble	Smith (WA)	Womack
Rice (SC)	Speier	Woodall
Richmond	Stefanik	Yoder
Rigell	Stewart	Yoho
Roby	Stivers	Young (AK)
Roe (TN)	Stutzman	Young (IA)
Rogers (AL)	Thompson (CA)	Young (IN)
Rogers (KY)	Thompson (MS)	Zeldin
Rohrabacher	Thompson (PA)	Zinke
Rokita		

NOES—129

Aguilar	Frelinghuysen	Meeks
Ashford	Fudge	Meng
Barletta	Gallego	Murphy (FL)
Bass	Garamendi	Nadler
Beatty	Goodlatte	Napolitano
Beyer	Graham	Pallone
Bishop (GA)	Granger	Payne
Blumenauer	Hahn	Pelosi
Bonamici	Hastings	Peters
Boyle, Brendan F.	Heck (WA)	Pocan
	Higgins	Price (NC)
Brady (PA)	Himes	Quigley
Brooks (IN)	Honda	Rangel
Brown (FL)	Hoyer	Rice (NY)
Capps	Huffman	Ros-Lehtinen
Carney	Hurd (TX)	Roybal-Allard
Carson (IN)	Israel	Ruiz
Cartwright	Johnson (GA)	Rush
Castor (FL)	Johnson, E. B.	Ryan (OH)
Chaffetz	Jolly	Sarbanes
Chu, Judy	Katko	Schakowsky
Cicilline	Kelly (IL)	Schiff
Clyburn	Kennedy	Schrader
Comstock	Kildee	Scott, David
Cooper	Kilmer	Serrano
Crowley	Kind	Sewell (AL)
Cuellar	King (NY)	Sherman
Cummings	Kirkpatrick	Slaughter
Davis (CA)	Langevin	Swalwell (CA)
Davis, Danny	Larsen (WA)	Takai
Delaney	Lawrence	Takano
DeLauro	Lee	Tonko
Dent	Levin	Torres
DeSaulnier	Lewis	Tsongas
Deutch	Lipinski	Van Hollen
Dold	Loebsack	Velázquez
Donovan	Lowenthal	Visclosky
Duckworth	Lowey	Wasserman Schultz
Engel	Lynch	Watson Coleman
Esty	MacArthur	Webster (FL)
Farr	Maloney, Sean	Wilson (FL)
Fitzpatrick	McDermott	Yarmuth
Foster	McNerney	
Frankel (FL)	Meehan	

NOT VOTING—7

Adams	Cleaver	Maloney, Carolyn
Becerra	DeFazio	
Cárdenas	Fincher	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 2309

Mr. LOWENTHAL changed his vote from ''aye'' to ''no.''

Mrs. DINGELL changed her vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

This Act may be cited as the ''Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016''.

Mr. DIAZ-BALART. Madam Chair, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. FOXX) having assumed the chair, Ms. ROS-LEHTINEN, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, directed her to report the bill back to the House with sundry amendments adopted in the Committee of the Whole, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. DELANEY. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DELANEY. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Delaney moves to recommit the bill H.R. 2577 to the Committee on Appropriations with instructions to report the same back to the House forthwith with the following amendment:

In the ''Capital and Debt Service Grants to the National Railroad Passenger Corporation'' account, on page 47, line 11, after the dollar amount relating to capital investments, insert ''(increased by $6,000,000)''.

Page 116, line 12, after the dollar amount, insert ''(reduced by $6,000,000)''.

Mr. DELANEY (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes in support of his motion.

Mr. DELANEY. Madam Speaker, this is a final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage, as amended.

Madam Speaker, imagine if this Congress were focused on how the forces of innovation and globalization were changing our economy and making it harder for our businesses to compete, large and small.

Madam Speaker, imagine if this Congress were focused on the fact that, while we are creating jobs, we are increasingly creating two types of jobs—high-skilled jobs, which are reserved for those people with the best educations, and low-skilled, low-paid jobs. Increasingly, we are not creating middle-skilled jobs—the kind of jobs that have supported middle class families for decades.

Madam Speaker, imagine if this Congress were focused on the fact that, while the standard of living of average Americans is going down, the friction in their lives is going up, including the fact that so many of them have longer commutes—overbearing commutes—because of inadequate transportation, commutes that are taking time away from their families and from their communities.

Madam Speaker, if this Congress were focused on those three things, then it would quickly conclude that our top domestic economic priority should be increasing our investment in our infrastructure because this Congress would understand that rebuilding America makes us more competitive. This Congress would understand that a national infrastructure program is the best jobs program we could have because it creates good jobs, and it is sound economics.

□ 2315

This Congress would understand that better infrastructure improves the quality of life of our constituents; and because it has been so bipartisan for so many years, it could be something that unifies us, and it would understand that rebuilding America is not an expense but an investment, and we would probably score it that way dynamically.

But unfortunately, Madam Speaker, that is not the Congress we have here this evening because we are doing precisely the opposite this evening, and we are cutting our investment in infrastructure. When you look at the facts, that is a strange conclusion indeed.

But, Madam Speaker, I am optimistic. I am optimistic that one day, hopefully soon, this Congress can do something transformative around infrastructure and rebuild our country. I believe we can pay for it by fixing our broken international tax system, where we have trillions of dollars

trapped overseas, and creating pathways for that money to come back to rebuild our country.

While we wait for that day to happen, Madam Speaker, we still should be doing smart and sensible things to improve our infrastructure. My amendment does that.

My amendment increases funding for Amtrak so they can better implement the positive train control system, which is technology that is proven to make commuter rail trains safer. The National Transportation Safety Board has said that, if this system were in place since 2004, we would have had 30 fewer accidents, including preventing that terrible tragedy that we all stood here and mourned about 30 days ago in Pennsylvania.

So I ask my colleagues to support the amendment to increase funding for Amtrak so that they can better implement smart technology, the positive train control system. Like most investments in infrastructure, it is good for our constituents—in this case, public safety—and it is also a good investment for our country. I urge support of the Democratic motion to recommit.

I yield back the balance of my time, Madam Speaker.

Mr. DIAZ-BALART. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 5 minutes.

Mr. DIAZ-BALART. Madam Speaker, this bill that is in front of us funds programs that are the backbone of our economy and the safety net of those who need it. These are issues that we must fund responsibly, adequately, and on time. This bill does precisely just that. It does so after a lengthy, open process. It does so while looking at the individual issues one by one.

I know some people like to criticize this Congress. This is not the Congress—this is not the Congress, however—that made ''shovel-ready'' a joke phrase. This is a Congress who wants to act responsibly, and this bill does just that. It makes the most of what we have. It makes the most of what we have in our coffers. It acknowledges that we can't just simply have everything that everybody wants at a time when we do have to pick priorities, when we have to spend responsibly and wisely. This bill in front of us has no tax increases, Madam Speaker.

Now, let's be very clear: fostering economic growth has always been a top priority in our appropriations bills, and this one is no different. You see, our businesses and communities rely on safe and efficient roads and rails and waterways and airways to facilitate the billions and billions of dollars of commerce that our economy depends on. So we choose to prioritize transportation infrastructure projects that will help improve our Nation as a whole; that will make traveling across the country easier; and, make no mistake, that will also make traveling across country safer, a safer place to travel.

Madam Speaker, from increasing funding for critical agencies like the FAA, the National Highway Traffic Safety Administration, and the Pipeline and Hazardous Materials Safety Administration to providing the Federal Railroad Administration with the resources it needs for its safety and research programs, this bill does not sacrifice safety in any way at all, in any shape or form.

Madam Speaker, the other primary responsibility of this bill is to provide for important housing programs. It ensures that our veterans continue to have access to the VASH program. It takes care of our most vulnerable citizens, such as the elderly and people with disabilities. It does that.

Let me just briefly address the specifics of this motion.

We have already taken action on the floor to add $9 million to Amtrak for inward-facing cameras to improve the safety of Amtrak's operation, but let me say something else. We have spent literally hundreds of hours on this bill. We have done so in a bipartisan way, in an open way. We held six public hearings with agency and department heads—six public hearings. We considered amendments in committee, and we have spent, as all of you know, 3 days on the floor now and considered about 80 amendments on this bill after 3 days in an open, transparent process. It has been an open and transparent process. We have taken amendments on this floor from both sides of the aisle.

So despite, obviously, budgetary constraints, this bill accomplishes all of what it should. We have worked hard at what we had to fund, and we got it done in a smart, purposeful, responsible way, yes.

Let me say something else that this Congress is doing. We are making serious progress on our appropriations bills this year. We are moving ahead faster and through an open process faster than we have in many years, getting the necessary work done in a timely and open and responsible fashion.

So now we have this motion to recommit. What is the purpose of this motion to recommit? Why wasn't it done as an amendment during the 3 days when we were here?

I urge a ''no'' vote, and let's get this good bill passed out of the House.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. DELANEY. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 181, noes 244, not voting 8, as follows:

[Roll No. 328]

AYES—181

Aguilar
Ashford
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
Kirkpatrick
Kuster
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Sean
Matsui
McCollum
McDermott
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Rangel
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—244

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)

Frelinghuysen
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NOT VOTING—8

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Farr
Fincher
Maloney, Carolyn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 2329

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

Under clause 10 of rule XX, the yeas and nays are ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 216, nays 210, not voting 7, as follows:

[Roll No. 329]

YEAS—216

Abraham
Aderholt
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (IN)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Conaway
Cook
Cramer
Crawford
Crenshaw
Cuellar
Culberson
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frelinghuysen
Garrett
Gibbs
Goodlatte
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hill
Holding
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
McCarthy
McCaul
McHenry
McKinley
McMorris Rodgers
Meadows
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Pompeo
Price, Tom
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney (FL)
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Scalise
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—210

Aguilar
Amash
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brooks (AL)
Brown (FL)
Brownley (CA)
Buck
Bustos
Butterfield
Capps
Capuano
Carney
Carson (IN)
Carter (GA)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Comstock
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cummings
Davis (CA)
Davis, Danny
DeGette
Delaney
DeLauro
DelBene
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Frankel (FL)
Franks (AZ)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Gohmert
Gosar
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hastings
Heck (WA)
Hice, Jody B.
Higgins
Himes
Hinojosa
Honda
Hoyer
Huelskamp
Huffman
Israel
Jackson Lee
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
Maloney, Sean
Massie
Matsui
McClintock
McCollum
McDermott
McGovern
McNerney
McSally
Meehan
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Rourke
Pallone
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pitts
Pocan
Polis
Posey
Price (NC)
Quigley
Rangel
Ratcliffe
Rice (NY)
Richmond
Rohrabacher
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanford
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—7

Adams
Becerra
Cárdenas
Cleaver
DeFazio
Fincher
Maloney, Carolyn

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 2335

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2577, TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

Mr. DIAZ-BALART. Madam Speaker, I ask unanimous consent that, in the engrossment of H.R. 2577, the Clerk be authorized to correct section numbers, punctuation, and cross-references, and to make such other technical and conforming changes as may be necessary to reflect the actions of the House in amending the bill, including the changes now at the desk.

The SPEAKER pro tempore. The Clerk will report the changes.

The Clerk read as follows:

In the amendment offered by Mr. Meehan of Pennsylvania, insert ''first'' before ''dollar'' in the instruction regarding page 2, line 13.

In the amendment offered by Mr. Burgess of Texas, insert ''reduced by'' before ''$4,000,000'' in the instruction regarding page 2, line 13.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2289, COMMODITY END-USER RELIEF ACT

Mr. CONAWAY. Madam Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 2289, to correct section numbers, punctuation, and cross-references, and to make such other technical and conforming changes as may be necessary to accurately reflect the actions of the House including changing ''14'' to ''13'' in the ninth instruction on the third page of the amendment by the gentleman from Texas (Mr. CONAWAY).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2383

Mr. PITTENGER. Madam Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 2383.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

KEEP THE DREAM ALIVE IN MEDORA, NORTH DAKOTA

(Mr. CRAMER asked and was given permission to address the House for 1 minute.)

Mr. CRAMER. Madam Speaker, big things are happening in the small cow town of Medora, North Dakota.

The famed Medora Musical, also known as the Greatest Show in the West, is celebrating 50 years of entertaining and inspiring visitors while paying tribute to American values like family, patriotism, and faith in God, and, of course, the legacies of Theodore Roosevelt and Harold Schafer.

Medora serves as the gateway to Theodore Roosevelt National Park, named for the city slicker turned cowboy who ranched the Badlands of Dakota Territory before going back East, refreshed and restored, to accomplish big things.

Madam Speaker, tonight, I am thankful that God gave us the Badlands and Theodore Roosevelt and that he gave a dream to Harold Schafer and that, today, the Theodore Roosevelt Medora Foundation keeps that dream alive in beautiful Medora, North Dakota.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEFAZIO (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Mr. CRAMER. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, June 10, 2015, at 10 a.m. for morning-hour debate.

OATH OF OFFICE MEMBERS, RESIDENT COMMISSIONER, AND DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

> ''I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.''

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 114th Congress, pursuant to the provisions of 2 U.S.C. 25:

TRENT KELLY, First District of Mississippi.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1739. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report to Congress entitled, ''Section 503 of the Children's Health Insurance Program Reauthorization Act: Prospective Payment System for Federally-Qualified Health Centers and Rural Health Clinics Transition Grants'', pursuant to Sec. 503 of the Children's Health Insurance Program Reauthorization Act of 2009; to the Committee on Energy and Commerce.

1740. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Michigan; Part 3 Rules [EPA-R05-OAR-2013-0824; FRL-9928-35-Region 5] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1741. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Kansas; Infrastructure SIP Requirements for the 2010 Sulfur Dioxide National Ambient Air Quality Standard [EPA-R07-OAR-2014-0528; FRL-9928-59-Region 7] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1742. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Missouri, Construction Permits Required [EPA-R07-OAR-2015-0123; FRL-9928-60-Region 7] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1743. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Biomass Fuel-Burning Equipment Standards [EPA-R03-OAR-2015-0089; FRL-9928-65-Region 3] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1744. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — n-Butyl benzoate; Exemptions from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0265; FRL-9927-65] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1745. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Aluminum sulfate; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2012-0207; FRL-9927-66] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1746. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Revisions to the California State Implementation Plan, Eastern Kern Air Pollution Control District, Mojave Desert Air Quality Management District [EPA-R09-OAR-2015-0228; FRl-9928-07-Region 9] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1747. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2015-0220; FRL-9927-67] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1748. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Alkyl (C8-20) Polyglucoside Esters; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0678; FRL-9927-19] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1749. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation

Plans; Pennsylvania; 2011 Lead Base Year Emissions Inventory [EPA-R03-OAR-2015-0311; FRL-9928-68-Region 3] received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1750. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-033; to the Committee on Foreign Affairs.

1751. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification, pursuant to Sec. 36(c) of the Arms Export Control Act, Transmittal No.: DDTC 15-016; to the Committee on Foreign Affairs.

1752. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a list of international agreements other than treaties entered into by the United States to be transmitted to Congress within sixty days, in accordance with the Case-Zablocki Act, 1 U.S.C. 112b; to the Committee on Foreign Affairs.

1753. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Cincinnati, transmitting the Federal Home Loan Bank of Cincinnati 2014 management report, pursuant to the Chief Financial Officers Act of 1990; to the Committee on Oversight and Government Reform.

1754. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Topeka, transmitting the Federal Home Loan Bank of Topeka 2014 management report, pursuant to the Chief Financial Officers Act of 1990; to the Committee on Oversight and Government Reform.

1755. A letter from the Chairman and the General Counsel, National Labor Relations Board, transmitting the Board's Semiannual Report of the Inspector General for the period October 1, 2014, through March 31, 2015, pursuant to the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

1756. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule — Federal Employees Health Benefits Program; Subrogation and Reimbursement Recovery (RIN: 3206-AN14) received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1757. A letter from the Branch Chief, Border Security Regulations, U.S. Customs and Border Protection, Department of Homeland Security, transmitting the Department's Major final rule — Changes to the Visa Waiver Program to Implement the Electronic System for Travel Authorization (ESTA) Program and the Fee for Use of the System [Docket Nos.: USCBP-2008-003 and USCBP-2010-0025] (RIN: 1651-AA72 and RIN 1651-AA83) received June 3, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1758. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0286; Directorate Identifier 2014-NM-004-AD; Amendment 39-18145; AD 2015-08-09] (RIN: 2120-AA64) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1759. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2015-0936; Directorate Identifier 2015-NM-058-AD; Amendment 39-18153; AD 2015-09-07] (RIN: 2120-AA64) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1760. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters (Type Certificate previously held by Eurocopter France) [Docket No.: FAA-2014-0038; Directorate Identifier 2013-SW-023-AD; Amendment 39-18146; AD 2015-09-01] (RIN: 2120-AA64) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1761. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; DG Flugzeugbau GmbH Gliders [Docket No.: FAA-2015-1130; Directorate Identifier 2015-CE-008-AD; Amendment 39-18150; AD 2015-09-04] (RIN: 2120-AA64) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1762. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Prohibition Against Certain Flights Within the Baghdad (ORBB) Flight Information Region (FIR) [Docket No.: FAA-2003-14766; Amendment No.: 91-327A; SFAR No.: 77] (RIN: 2120-AK60) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1763. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's direct final rule — Prohibition of Fixed-Wing Special Visual Flights Rules Operations at Washington-Dulles International Airport; Withdrawal [Docket No.: FAA-2015-0190; Amdt. No.: 91-337] (RIN: 2120-AK69) received June 5, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1764. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's Major final rule — Clean Water Rule: Definition of ''Waters of the United States'' [EPA-HQ-OW-2011-0880; FRL-9927-20-OW] (RIN: 2040-AF30) received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1765. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Rotary Club of Fort Lauderdale New River Raft Race, New River; Fort Lauderdale, FL [Docket No.: USCG-2015-0024] (RIN: 1625-AA00) received June 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1766. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's interim final rule — Security Zone; Portland Rose Festival on Willamette River, Portland, OR [Docket No.: USCG-2015-0484] (RIN: 1625-AA87) received June 8, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1767. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification of the determination of a waiver of authority under Secs. 402(d)(1) and 409 of the Trade Act of 1974, as amended, with respect to Belarus; to the Committee on Ways and Means.

1768. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification of the determination of a waiver of authority under Sec. 402(d)(1) 409 of the Trade Act of 1974, Pub. L. 93-618, as amended, with respect to Turkmenistan; to the Committee on Ways and Means.

1769. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Extension of Effective Date for Temporary Pilot Program Setting the Time and Place for a Hearing Before an Administrative Law Judge [Docket No.: SSA-2014-0034] (RIN: 0960-AH67) received June 2, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1770. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Presidential Determination No. 2015-07, Suspension of Limitations under the Jerusalem Embassy Act, Pub. L. 104-45, Sec. 7(a); jointly to the Committees on Foreign Affairs and Appropriations.

1771. A letter from the Deputy Director, Office of Documents and Regulations Management, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Medicare Shared Savings Program: Accountable Care Organizations [CMS-1461-F] (RIN: 0938-AS06) received June 4, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UPTON: Committee on Energy and Commerce. H.R. 906. A bill to modify the efficiency standards for grid-enabled water heaters; with an amendment (Rept. 114–142). Referred to the Committee of the Whole House on the state of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 1734. A bill to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment (Rept. 114–143). Referred to the Committee of the Whole House on the state of the Union.

Mr. NUNES: Permanent Select Committee on Intelligence. H.R. 2596. A bill to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; with an amendment (Rept. 114–144, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWHOUSE: Committee on Rules. House Resolution 303. Resolution providing for consideration of the bill (H.R. 2685) making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes, and providing for consideration of the bill (H.R. 2393) to amend the Agricultural Marketing Act of 1946 to repeal country of origin labeling requirements with respect to beef, pork, and chicken, and for other purposes (Rept. 114–145). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on the Budget discharged from further consideration. H.R. 2596 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. RYAN of Wisconsin (for himself and Mr. BOUSTANY):

H.R. 2688. A bill to block any action from being taken to finalize or give effect to a certain proposed rule governing the Federal child support enforcement program; to the Committee on Ways and Means.

By Mrs. MIMI WALTERS of California (for herself and Mr. HUFFMAN):

H.R. 2689. A bill to clarify the scope of eligible water resources projects under the Water Resources Development Act of 1986 and the Water Resources Reform and Development Act of 2014, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. MATSUI:

H.R. 2690. A bill to direct the Secretary of Health and Human Services to promulgate regulations clarifying the circumstances under which, consistent with the standards governing the privacy and security of individually identifiable health information promulgated by the Secretary under sections 262(a) and 264 of the Health Insurance Portability and Accountability Act of 1996, health care providers and covered entities may disclose the protected health information of patients with a mental illness, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RUIZ:

H.R. 2691. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to adjudicate and pay survivor's benefits without requiring the filing of a formal claim, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. BEATTY (for herself, Mr. BUTTERFIELD, Mr. HINOJOSA, Mr. MEEKS, Mr. CLAY, Ms. NORTON, Mrs. WATSON COLEMAN, Mrs. KIRKPATRICK, Mrs. LAWRENCE, Mr. ISRAEL, Mr. VAN HOLLEN, Ms. WILSON of Florida, Mr. CONYERS, Ms. EDWARDS, and Mr. SWALWELL of California):

H.R. 2692. A bill to amend the Internal Revenue Code of 1986 to make permanent the above-the-line deduction for certain expenses of elementary and secondary school teachers and to allow Head Start teachers the same above-the-line deduction for supplies as is allowed to elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. BRAT (for himself, Mr. SCOTT of Virginia, Mr. WITTMAN, Mr. RIGELL, Mr. FORBES, Mr. HURT of Virginia, Mr. GOODLATTE, Mr. BEYER, Mr. GRIFFITH, Mrs. COMSTOCK, Mr. CONNOLLY, and Mr. SAM JOHNSON of Texas):

H.R. 2693. A bill to designate the arboretum at the Hunter Holmes McGuire VA Medical Center in Richmond, Virginia, as the ''Phyllis E. Galanti Arboretum''; to the Committee on Veterans' Affairs.

By Mr. CICILLINE (for himself, Ms. HAHN, Mr. ISRAEL, Ms. WASSERMAN SCHULTZ, Ms. CASTOR of Florida, Mrs. CAPPS, Ms. TSONGAS, Mr. SWALWELL of California, Ms. KUSTER, Ms. CLARKE of New York, Mr. CONNOLLY, Mr. ELLISON, Ms. SEWELL of Alabama, Ms. DELAURO, Mr. PALLONE, Ms. MENG, Mrs. BUSTOS, Ms. FRANKEL of Florida, Ms. BROWNLEY of California, Mr. COURTNEY, Ms. LEE, Mr. MCNERNEY, Mr. MCGOVERN, Ms. BASS, Mr. BLUMENAUER, Ms. JACKSON LEE, Mr. LEWIS, Ms. KAPTUR, Mr. TONKO, Mr. VAN HOLLEN, Mr. SCOTT of Virginia, Mr. JEFFRIES, Mr. RANGEL, Ms. MOORE, Mr. TAKANO, Mr. LANGEVIN, Mr. MEEKS, Mr. GARAMENDI, Ms. WILSON of Florida, Mrs. WATSON COLEMAN, Mr. DEUTCH, Mr. COHEN, and Ms. BONAMICI):

H.R. 2694. A bill to amend the National Voter Registration Act of 1993 to require each State to ensure that each individual who provides identifying information to the State motor vehicle authority is automatically registered to vote in elections for Federal office held in the State unless the individual does not meet the eligibility requirements for registering to vote in such elections or declines to be registered to vote in such elections, and for other purposes; to the Committee on House Administration.

By Mr. CICILLINE (for himself, Mr. DEUTCH, Ms. JUDY CHU of California, Mr. WELCH, Mr. VARGAS, and Mr. GARAMENDI):

H.R. 2695. A bill to amend the Internal Revenue Code of 1986 to require that return information from tax-exempt organizations be made available in a searchable format and to provide the disclosure of the identity of contributors to certain tax-exempt organizations, and for other purposes; to the Committee on Ways and Means.

By Mr. GRIFFITH:

H.R. 2696. A bill to amend title XXVII of the Public Health Service Act to require certain health insurance premium increase information submitted to the Secretary of Health and Human Services be disclosed to Congress; to the Committee on Energy and Commerce.

By Mr. GRIJALVA (for himself, Mrs. DAVIS of California, Mr. FARR, Ms. MOORE, Mr. NADLER, and Ms. NORTON):

H.R. 2697. A bill to assist in the conservation of rare felids and rare canids by supporting and providing financial resources for the conservation programs of nations within the range of rare felid and rare canid populations and projects of persons with demonstrated expertise in the conservation of rare felid and rare canid populations; to the Committee on Natural Resources.

By Mr. HOLDING (for himself, Mr. ROYCE, Mr. TIBERI, Mr. LONG, Mr. KNIGHT, Mr. WHITFIELD, Mr. NUNES, Mr. LOUDERMILK, Mr. WESTMORELAND, Mr. ASHFORD, Mr. PETERSON, Mr. BENISHEK, Mr. WALBERG, and Mrs. BLACKBURN):

H.R. 2698. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on indoor tanning services; to the Committee on Ways and Means.

By Mr. ISRAEL (for himself, Mr. KING of New York, Ms. ESTY, Mr. HIMES, Mr. LANGEVIN, Mr. HONDA, and Mr. CONYERS):

H.R. 2699. A bill to modernize the Undetectable Firearms Act of 1988; to the Committee on the Judiciary.

By Mr. ISRAEL:

H.R. 2700. A bill to require all recreational vessels to have and post passenger capacity limits, to amend title 46, United States Code, to authorize States to enter into contracts for the provision of boating safety education services under State recreational boating safety programs, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Ways and Means, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of Iowa:

H.R. 2701. A bill to direct the President to impose duties on merchandise from the People's Republic of China in an amount equivalent to the estimated annual loss of revenue to holders of United States intellectual property rights as a result of violations of such intellectual property rights in China, and for other purposes; to the Committee on Ways and Means.

By Mr. ROKITA (for himself and Mr. BLUMENAUER):

H.R. 2702. A bill to amend title 49, United States Code, with respect to passenger motor vehicle crash avoidance information, and for other purposes; to the Committee on Energy and Commerce.

By Mr. RUPPERSBERGER:

H.R. 2703. A bill to amend the Internal Revenue Code of 1986 to increase the credit for employers establishing workplace child care facilities, to increase the child care credit to encourage greater use of quality child care services, to provide incentives for students to earn child care-related degrees and to work in child care facilities, and to increase the exclusion for employer-provided dependent care assistance; to the Committee on Ways and Means.

By Ms. LINDA T. SÁNCHEZ of California (for herself and Mr. MEEHAN):

H.R. 2704. A bill to establish a Community-Based Institutional Special Needs Plan demonstration program to target home and community-based care to eligible Medicare beneficiaries, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THORNBERRY:

H.R. 2705. A bill to clarify the definition of navigable waters, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. TITUS (for herself, Mr. BISHOP of Utah, Mr. CRAMER, and Mr. STEWART):

H.R. 2706. A bill to amend title 38, United States Code, to provide priority for the establishment of new national cemeteries by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WALKER:

H.R. 2707. A bill to ensure a legislative solution for those individuals who may be affected by ObamaCare's unlawful implementation, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WILSON of South Carolina:

H.R. 2708. A bill to direct the Director of National Intelligence to conduct a study on cyber attack standards of measurement; to the Committee on Intelligence (Permanent Select).

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

46. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 89, urging the Congress of the United States to pass legislation that establishes a national, uniform, and scientifically-based label program for genetically modified food; to the Committee on Energy and Commerce.

47. Also, a memorial of the Legislature of the State of Oregon, relative to Senate Joint Memorial 10, urging the Congress of the United States of America to pass legislation to create the Willamette Falls National Heritage Area; to the Committee on Natural Resources.

48. Also, a memorial of the Legislature of the State of Nevada, relative to Senate Joint

Resolution No. 4, urging Congress to enact the Marketplace Fairness Act; to the Committee on the Judiciary.

49. Also, a memorial of the Legislature of the State of Oregon, relative to Senate Joint Memorial 9, respectfully requesting that the Congress of the United States expedite appropriation of funds to enhance efforts to monitor and prevent the spread of aquatic invasive species and to implement the intent of the Water Resources Reform and Development Act; to the Committee on Transportation and Infrastructure.

50. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1008, urging the United States Department of Veterans Affairs to review the disability rating process; to the Committee on Veterans' Affairs.

51. Also, a memorial of the House of Representatives of the State of Illinois, relative to House Resolution No. 0414, urging the United States Congress to take prompt action to reauthorize the James Zadroga 9/11 family of programs and to fully fund these programs; jointly to the Committees on Energy and Commerce and the Judiciary.

52. Also, a memorial of the Legislature of the State of Arizona, relative to Senate Concurrent Memorial 1006, urging the United States Congress to vote to approve the Keystone XL oil pipeline; jointly to the Committees on Transportation and Infrastructure, Energy and Commerce, and Natural Resources.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. RYAN of Wisconsin:

H.R. 2688.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defence and general Welfare of the United States.''

By Mrs. MIMI WALTERS of California:

H.R. 2689.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof

By Ms. MATSUI:

H.R. 2690.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. RUIZ:

H.R. 2691.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mrs. BEATTY:

H.R. 2692.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution

By Mr. BRAT:

H.R. 2693.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12 (related to the power of Congress to raise and support armies) and Article I, Section 8, Clause 17 (related to the power of Congress to exercise exclusive legislation over needful buildings).

By Mr. CICILLINE:

H.R. 2694.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. CICILLINE:

H.R. 2695.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. GRIFFITH:

H.R. 2696.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 of the United States Constitution.

By Mr. GRIJALVA:

H.R. 2697.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, sec. 8, cl. 3

To regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.

By Mr. HOLDING:

H.R. 2698.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 ''The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, [. . .]''

By Mr. ISRAEL:

H.R. 2699.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. ISRAEL:

H.R. 2700.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I. Section 8, and Article I, Section 9 of the United States Constitution.

By Mr. KING of Iowa:

H.R. 2701.

Congress has the power to enact this legislation pursuant to the following:

Congress's Power to regulate Commerce with foreign Nations under Article I, Section 8, Clause 3 of the Constitution.

By Mr. ROKITA:

H.R. 2702.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution, which reads ''The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.''

By Mr. RUPPERSBERGER:

H.R. 2703.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3, the Commerce Clause.

By Ms. LINDA T. SÁNCHEZ of California:

H.R. 2704.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. THORNBERRY:

H.R. 2705.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. TITUS:

H.R. 2706.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Amendment XVI, of the United States Constitution

By Mr. WALKER:

H.R. 2707.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution gives Congress the power to ''regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.'' Article 1, Section 8, Clause 18 of the United States Constitution, which gives Congress the power to ''make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.'' This legislation puts forth measures relating to the treatment of existing commerce and the exchange of health care products, services, and transactions as regulated by the Affordable Care Act.

By Mr. WILSON of South Carolina:

H.R. 2708.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 and requirements outlined in the National Security Act of 1947. Article I, section 8 gives Congress the power ''to . . . provide for the common defense and general welfare of the United States.'' The Necessary and Proper Clause of that section also grants Congress the power ''[t]o make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof.'' Title I, Sec. 101 of the National Security Act of 1947, requires the National Security Council to ''assess and appraise the objectives, commitments, and risks of the United States in relation to our actual and potential military power, in the interest of national security; for the purpose of making recommendations . . .''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 6: Mrs. WALORSKI, Mr. ISRAEL, Mr. HULTGREN, Ms. KUSTER, Mr. YODER, Mr. DENT, Mr. CURBELO of Florida, Mrs. KIRKPATRICK, Mr. POLIS, Mr. O'ROURKE, Mr. HUDSON, Mr. CÁRDENAS, Mrs. CAPPS, Mr. ROE of Tennessee, Mr. BISHOP of Michigan, Mr. ROSS, and Mr. PAYNE.

H.R. 9: Mr. CLEAVER.

H.R. 136: Mr. CALVERT and Mr. HUNTER.

H.R. 169: Mr. STIVERS.

H.R. 218: Ms. MCSALLY.

H.R. 223: Mr. JOHNSON of Ohio.

H.R. 232: Mr. REED, Mrs. CAPPS, Mr. HURT of Virginia, Ms. DEGETTE, Mr. LEWIS, Mr. LIPINSKI, and Mr. RUPPERSBERGER.

H.R. 235: Mr. JODY B. HICE of Georgia, Mr. MCNERNEY, and Mr. BUCHANAN.

H.R. 276: Mr. CONAWAY.

H.R. 303: Mr. JONES, Mr. CALVERT, and Mr. COSTELLO of Pennsylvania.

H.R. 359: Mr. ROONEY of Florida.

H.R. 395: Mrs. KIRKPATRICK.

H.R. 413: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. YARMUTH.

H.R. 420: Mr. ALLEN.

H.R. 430: Ms. DEGETTE.

H.R. 470: Mr. BISHOP of Georgia.

H.R. 478: Mr. STEWART.
H.R. 511: Mr. NUNES, Mr. WILSON of South Carolina, and Ms. FOXX.
H.R. 532: Ms. TSONGAS.
H.R. 540: Mr. CONNOLLY and Ms. KAPTUR.
H.R. 546: Ms. KELLY of Illinois.
H.R. 556: Mr. HASTINGS, Mr. COHEN, Mr. ROE of Tennessee, Mr. RANGEL, Mr. WESTERMAN, Mr. ASHFORD, Mr. HENSARLING, Mr. COLLINS of New York, Mr. FLEMING, and Ms. SLAUGHTER.
H.R. 563: Mr. COURTNEY and Mr. RANGEL.
H.R. 581: Mr. COSTELLO of Pennsylvania.
H.R. 584: Mr. COFFMAN.
H.R. 592: Ms. BROWNLEY of California.
H.R. 602: Mrs. CAROLYN B. MALONEY of New York.
H.R. 614: Mr. BERA.
H.R. 625: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. YARMUTH.
H.R. 632: Mr. THOMPSON of California, Mr. KEATING, and Mr. LYNCH.
H.R. 653: Mr. AMODEI.
H.R. 662: Mr. ROE of Tennessee.
H.R. 664: Ms. MCCOLLUM.
H.R. 692: Mrs. HARTZLER and Mr. MESSER.
H.R. 699: Mr. VARGAS.
H.R. 702: Mrs. BLACK, Mr. LAMBORN, Mr. MESSER, Mr. WOMACK, and Mr. HULTGREN.
H.R. 716: Mr. HONDA.
H.R. 721: Mr. RUPPERSBERGER, Mr. ROGERS of Kentucky, Mr. YOHO, Mr. SWALWELL of California, Mr. COOK, Mr. CAPUANO, Mr. BERA, Mr. LANCE, Mr. PRICE of North Carolina, Ms. DELBENE, Mr. BUTTERFIELD, and Mr. ROONEY of Florida.
H.R. 731: Mr. CICILLINE.
H.R. 757: Mr. BISHOP of Michigan.
H.R. 766: Mr. EMMER of Minnesota.
H.R. 767: Mr. HURT of Virginia, Ms. DEGETTE, Mr. CARTWRIGHT, Mr. POLIS, and Mr. RUPPERSBERGER.
H.R. 772: Ms. NORTON and Mr. CONYERS.
H.R. 774: Mr. CULBERSON.
H.R. 775: Mr. VAN HOLLEN, Mr. DIAZ-BALART, Ms. CASTOR of Florida, Ms. HERRERA BEUTLER, Mr. COHEN, Mr. NUGENT, and Mr. CARTER of Georgia.
H.R. 781: Mr. MCDERMOTT.
H.R. 785: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 789: Ms. ESHOO.
H.R. 825: Mr. KLINE.
H.R. 840: Mr. SWALWELL of California, Ms. CLARK of Massachusetts, and Ms. EDWARDS.
H.R. 845: Ms. CASTOR of Florida, Mr. DUFFY, and Mr. TONKO.
H.R. 846: Mr. FATTAH, Mr. COURTNEY, and Ms. KELLY of Illinois.
H.R. 855: Ms. CASTOR of Florida, Mr. BRADY of Pennsylvania, and Ms. LEE.
H.R. 865: Mr. STIVERS and Mr. MULLIN.
H.R. 868: Mr. BISHOP of Georgia, Mr. NUNES, Mr. STIVERS, Mr. CARSON of Indiana, and Mr. KINZINGER of Illinois.
H.R. 921: Mr. STIVERS, Mr. TAKANO, and Mr. YOUNG of Iowa.
H.R. 932: Mrs. WATSON COLEMAN.
H.R. 963: Ms. DEGETTE.
H.R. 969: Mr. CARSON of Indiana.
H.R. 985: Mr. VALADAO, Mr. JONES, and Mr. MESSER.
H.R. 986: Mr. FLEMING and Mr. CARTER of Georgia.
H.R. 989: Ms. KAPTUR.
H.R. 990: Mr. HONDA, Ms. NORTON, and Mr. SWALWELL of California.
H.R. 1013: Mr. BEYER and Mr. TED LIEU of California.
H.R. 1023: Ms. HAHN, Mr. CARTWRIGHT, Mrs. LAWRENCE, and Mr. GIBSON.
H.R. 1062: Mr. GRAVES of Louisiana.
H.R. 1101: Mr. BRADY of Texas.
H.R. 1120: Mr. HUNTER.
H.R. 1141: Mr. COURTNEY.
H.R. 1145: Ms. PINGREE.
H.R. 1151: Mr. SCHIFF, Mrs. TORRES, Mr. RIBBLE, Mr. PAYNE, Mr. FINCHER, Mr. GRAVES of Missouri, Mr. STIVERS, and Mr. AMODEI.
H.R. 1153: Mr. JODY B. HICE of Georgia.
H.R. 1161: Mr. BUTTERFIELD and Mr. JONES.
H.R. 1171: Mr. NOLAN.
H.R. 1178: Mrs. MIMI WALTERS of California and Mr. TAKANO.
H.R. 1181: Mr. CÁRDENAS.
H.R. 1185: Mr. SWALWELL of California and Ms. STEFANIK.
H.R. 1188: Mr. LEWIS.
H.R. 1197: Mr. CÁRDENAS, Mr. ELLISON, Mr. VARGAS, and Mr. BISHOP of Georgia.
H.R. 1202: Mrs. LUMMIS and Mr. GIBSON.
H.R. 1211: Mr. GUTIÉRREZ and Mr. LEWIS.
H.R. 1233: Mr. EMMER of Minnesota.
H.R. 1247: Ms. ROYBAL-ALLARD.
H.R. 1266: Mr. CRAMER, Mr. EMMER of Minnesota, and Mr. KING of New York.
H.R. 1267: Mr. LUCAS.
H.R. 1289: Mr. MCDERMOTT, Ms. KUSTER, and Mr. THOMPSON of California.
H.R. 1300: Mr. VISCLOSKY.
H.R. 1301: Mr. FLORES, Mr. MCHENRY, Ms. KUSTER, Mr. CARNEY, Mrs. BLACKBURN, and Mr. SALMON.
H.R. 1355: Ms. SINEMA.
H.R. 1356: Ms. MATSUI, Ms. TITUS, Mr. ZINKE, and Ms. ESTY.
H.R. 1375: Mr. HIMES, Ms. KAPTUR, and Mr. STEWART.
H.R. 1388: Mr. STIVERS and Mr. HUDSON.
H.R. 1391: Ms. MCCOLLUM.
H.R. 1399: Mr. JOHNSON of Ohio, Ms. LEE, Ms. WASSERMAN SCHULTZ, and Mr. BISHOP of Georgia.
H.R. 1401: Mr. FITZPATRICK, Mr. LEWIS, Mr. COHEN, and Mr. COLE.
H.R. 1424: Mr. CRAWFORD, Mr. WESTMORELAND, and Mr. BLUM.
H.R. 1427: Mr. CHABOT, Ms. CASTOR of Florida, Mr. FRANKS of Arizona, Mr. FARENTHOLD, Mr. DEUTCH, Mr. CAPUANO, Mr. RUSH, Ms. CLARK of Massachusetts, Mr. RYAN of Ohio, Ms. MCCOLLUM, Mr. PETERSON, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CURBELO of Florida, Mr. ISRAEL, Mr. ELLISON, Mr. ROSS, and Mr. DOLD.
H.R. 1439: Mr. LARSON of Connecticut.
H.R. 1475: Mr. FARENTHOLD, Ms. WILSON of Florida, and Mr. BISHOP of Michigan.
H.R. 1496: Mr. DESAULNIER.
H.R. 1533: Ms. MCCOLLUM.
H.R. 1546: Mr. NUGENT.
H.R. 1549: Mr. SCOTT of Virginia.
H.R. 1552: Mr. LARSEN of Washington and Ms. DEGETTE.
H.R. 1555: Mr. HARPER.
H.R. 1559: Mr. REICHERT, Mr. BERA, Ms. PLASKETT, Mr. CONNOLLY, Mr. JENKINS of West Virginia, and Mr. WHITFIELD.
H.R. 1567: Mr. COURTNEY and Mr. CARSON of Indiana.
H.R. 1572: Mrs. WALORSKI.
H.R. 1602: Ms. JUDY CHU of California and Mr. BERA.
H.R. 1610: Mr. PERRY.
H.R. 1616: Mr. AUSTIN SCOTT of Georgia.
H.R. 1624: Mr. CURBELO of Florida, Mr. GRAVES of Missouri, Mr. BRIDENSTINE, Mr. HENSARLING, Mr. LAMALFA, Mr. DESJARLAIS, Mr. SEAN PATRICK MALONEY of New York, Mr. CLEAVER, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 1635: Ms. LOFGREN and Mr. YOUNG of Iowa.
H.R. 1666: Mr. GROTHMAN.
H.R. 1671: Mr. DESJARLAIS, Mr. DUNCAN of South Carolina, and Mr. FARENTHOLD.
H.R. 1684: Mr. SEAN PATRICK MALONEY of New York.
H.R. 1705: Mr. ASHFORD.
H.R. 1726: Ms. MCCOLLUM.
H.R. 1742: Mr. CARSON of Indiana.
H.R. 1748: Mr. HUFFMAN, Ms. KUSTER, and Mr. ISRAEL.
H.R. 1752: Mr. SESSIONS, Mr. HENSARLING, Mr. AUSTIN SCOTT of Georgia, and Mr. NUNES.
H.R. 1760: Mr. WELCH, Mr. VALADAO, Mr. KILMER, and Mr. JOHNSON of Ohio.
H.R. 1768: Mr. CALVERT.
H.R. 1769: Mrs. KIRKPATRICK, Mr. LANGEVIN, and Mr. COURTNEY.
H.R. 1775: Ms. SCHAKOWSKY and Ms. DEGETTE.
H.R. 1786: Mr. GENE GREEN of Texas and Ms. MATSUI.
H.R. 1814: Mr. ISRAEL, Mr. SHERMAN, Mr. TONKO, Mr. CAPUANO, Ms. DEGETTE, Mr. PRICE of North Carolina, Mr. GALLEGO, Mr. RICHMOND, Mr. THOMPSON of Mississippi, and Mr. GENE GREEN of Texas.
H.R. 1832: Ms. JUDY CHU of California and Ms. JACKSON LEE.
H.R. 1853: Mr. MESSER, Mr. BURGESS, Mr. POLIS, Mrs. LAWRENCE, Mr. COLLINS of Georgia, Mr. ADERHOLT, Mr. CARSON of Indiana, and Mr. BABIN.
H.R. 1854: Mr. JOYCE.
H.R. 1902: Mr. GUTIÉRREZ and Mr. RANGEL.
H.R. 1925: Ms. ESTY.
H.R. 1932: Mr. JODY B. HICE of Georgia.
H.R. 1933: Mr. SIRES and Ms. ESHOO.
H.R. 1994: Mr. COFFMAN, Mr. MESSER, Mr. HUNTER, and Mr. LOUDERMILK.
H.R. 2014: Mr. SARBANES.
H.R. 2019: Mr. BURGESS, Mr. SMITH of Nebraska, Mr. COLE, Mr. LAMALFA, and Mr. HURT of Virginia.
H.R. 2025: Mr. DEFAZIO.
H.R. 2026: Mrs. LOWEY and Ms. SINEMA.
H.R. 2042: Mr. JENKINS of West Virginia, Mrs. BLACK, Mr. LONG, Mrs. LUMMIS, Mr. DESJARLAIS, Mrs. WAGNER, Mr. STEWART, Mr. HARPER, Mr. WOMACK, Mr. ROE of Tennessee, Mr. FLORES, Mr. JOHNSON of Ohio, Mr. KLINE, Ms. JENKINS of Kansas, and Mr. PALAZZO.
H.R. 2044: Mr. MESSER.
H.R. 2058: Mr. YODER, Mr. WHITFIELD, and Mr. HURT of Virginia.
H.R. 2061: Mr. STIVERS, Mr. FARR, Mr. BRIDENSTINE, Mr. SMITH of Washington, and Mr. HARRIS.
H.R. 2096: Mr. YODER.
H.R. 2123: Ms. ROS-LEHTINEN.
H.R. 2132: Mr. TAKANO and Mr. PASCRELL.
H.R. 2148: Mr. AUSTIN SCOTT of Georgia.
H.R. 2156: Mr. BERA.
H.R. 2167: Mr. THOMPSON of California and Mrs. KIRKPATRICK.
H.R. 2255: Mr. MARCHANT.
H.R. 2259: Mr. JODY B. HICE of Georgia and Mr. NEWHOUSE.
H.R. 2260: Mrs. LOWEY.
H.R. 2280: Mr. LYNCH.
H.R. 2295: Mr. TURNER, Mr. FARENTHOLD, Mr. MCKINLEY, Mr. GOSAR, Mr. DUNCAN of South Carolina, and Mr. KELLY of Pennsylvania.
H.R. 2300: Mr. BARLETTA.
H.R. 2302: Ms. SLAUGHTER, Mr. CARSON of Indiana, Mrs. LAWRENCE, and Ms. PLASKETT.
H.R. 2309: Mrs. LOWEY and Mr. PASCRELL.
H.R. 2323: Mr. PAULSEN.
H.R. 2328: Mr. KLINE.
H.R. 2342: Ms. HERRERA BEUTLER, Mr. COHEN, Ms. ROYBAL-ALLARD, Mr. ASHFORD, Mr. HUIZENGA of Michigan, Mr. FLEMING, and Mr. CARTER of Georgia.
H.R. 2360: Ms. KUSTER.
H.R. 2382: Mr. GUINTA.
H.R. 2400: Mr. HULTGREN, Mr. MCCLINTOCK, and Mr. PITTENGER.
H.R. 2404: Ms. PINGREE, Ms. BORDALLO, Ms. DELAURO, Mr. CONNOLLY, Mrs. ELLMERS of North Carolina, Mr. HULTGREN, Ms. BROWN of Florida, Mr. FARENTHOLD, Mr. CARTWRIGHT, Ms. NORTON, Mr. RYAN of Ohio, Mr. JOHNSON of Georgia, Mr. GIBSON, and Ms. JACKSON LEE.
H.R. 2441: Mr. NUGENT.
H.R. 2450: Mr. CICILLINE.
H.R. 2493: Mrs. LAWRENCE and Mr. VAN HOLLEN.
H.R. 2494: Mr. MCCAUL, Mr. RANGEL, Mr. RYAN of Ohio, Mr. WILSON of South Carolina, Mr. WEBER of Texas, Mr. MCGOVERN, Mr. FARR, Mr. GARAMENDI, Mr. PEARCE, Mr. COOK, and Mr. POLIS.

H.R. 2506: Mr. DESJARLAIS.
H.R. 2508: Mr. PETERSON.
H.R. 2535: Mr. PETERSON.
H.R. 2536: Mr. GIBSON.
H.R. 2538: Mr. THOMPSON of California.
H.R. 2540: Ms. ROS-LEHTINEN.
H.R. 2544: Mr. SMITH of Nebraska.
H.R. 2545: Mr. LEVIN.
H.R. 2568: Mr. ROE of Tennessee.
H.R. 2590: Mr. EMMER of Minnesota.
H.R. 2606: Mr. PALMER, Mr. RUSSELL, and Mr. MEADOWS.
H.R. 2610: Mr. CURBELO of Florida and Mr. HIGGINS.
H.R. 2611: Mr. KLINE.
H.R. 2623: Mr. NADLER.
H.R. 2634: Miss RICE of New York.
H.R. 2647: Mr. GOSAR.
H.R. 2657: Ms. CASTOR of Florida and Mr. STIVERS.
H.R. 2660: Ms. PLASKETT, Mr. TONKO, Ms. WILSON of Florida, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. ROYBAL-ALLARD, Mr. LOWENTHAL, and Ms. Kaptur.
H.R. 2669: Mr. KINZINGER of Illinois, Mr. GUTHRIE, Mr. MEEKS, Mr. RUSH, Mr. WELCH, Mr. BUTTERFIELD, and Ms. ESHOO.
H.R. 2670: Mr. CURBELO of Florida, Ms. VELÁZQUEZ, Mr. TAKAI, and Mrs. RADEWAGEN.
H.R. 2680: Mr. TAKANO.
H. Con. Res. 19: Mr. GROTHMAN and Mr. EMMER of Minnesota.
H. Con. Res. 55: Mr. RANGEL.
H. Res. 12: Mr. GRIJALVA and Mr. ROGERS of Alabama.
H. Res. 14: Ms. LOFGREN and Mr. O'ROURKE.
H. Res. 107: Mr. CARSON of Indiana and Mr. WALZ.
H. Res. 130: Mr. FITZPATRICK.
H. Res. 145: Mr. CARSON of Indiana and Ms. EDWARDS.
H. Res. 154: Mr. TONKO.
H. Res. 203: Ms. WILSON of Florida.
H. Res. 209: Mr. DESANTIS.
H. Res. 233: Ms. WILSON of Florida, Mr. HUDSON, Mr. ROKITA, and Mr. BOUSTANY.
H. Res. 248: Mrs. BLACK.
H. Res. 270: Mr. DUNCAN of Tennessee, Mr. LAMBORN, Mr. BILIRAKIS, and Mr. SCHIFF.
H. Res. 294: Mr. MCGOVERN.
H. Res. 295: Ms. GABBARD.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 2383: Mr. PITTENGER.
H. Res. 198: Mr. AMASH.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2577

OFFERED BY: MR. DENHAM

AMENDMENT NO. 32: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for high-speed rail in the State of California or for the California High-Speed Rail Authority, nor may any be used by the Federal Railroad Administration to administer a grant agreement with the California High-Speed Rail Authority that contains a tapered matching requirement.

H.R. 2577

OFFERED BY: MR. DENHAM

AMENDMENT NO. 33: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for high-speed rail in the State of California or for the California High-Speed Rail Authority.

H.R. 2577

OFFERED BY: MR. EMMER OF MINNESOTA

AMENDMENT NO. 34: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may used to carry out any enrichment as defined in Appendix A to Part 611 of title 49, Code of Federal Regulations, for any New Start grant request.

H.R. 2577

OFFERED BY: MR. GROTHMAN

AMENDMENT NO. 35: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act under the heading ''Department of Housing and Urban Development—Housing Programs—Project-Based Rental Assistance'' may be used for any family who is not an elderly family or a disabled family (as such terms are defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) and who was not receiving project-based rental assistance under section 8 of such Act (42 U.S.C. 1437f) as of October 1, 2015, and the amount otherwise provided under such heading is reduced by $300,000,000.

H.R. 2577

OFFERED BY: MR. GROTHMAN

AMENDMENT NO. 36: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act under the heading ''Department of Housing and Urban Development—Public and Indian Housing Programs—Tenant-Based Rental Assistance'' may be used for any family who is not an elderly family or a disabled family (as such terms are defined in section 3(b) of the United States Housing Act of 1937 (42 U.S.C. 1437a(b)) and who was not receiving tenant-based rental assistance under section 8 of such Act (42 U.S.C. 1437f) as of October 1, 2015, and the amount otherwise provided under such heading is reduced, the amount specified under such heading for renewals of expiring section 8 tenant-based annual contributions contracts is reduced, and the amount specified under such heading for administrative and other expenses of public housing agencies in administering the section 8 tenant-based rental assistance program) is reduced, by $300,000,000, $210,000,000, and $90,000,000, respectively.

H.R. 2577

OFFERED BY: MS. MAXINE WATERS OF CALIFORNIA

AMENDMENT NO. 37: At the end of the bill (before the short title), insert the following:

SEC. 4____. None of the funds made available by this Act may be used to establish any asset management position (including any account executive, senior account executive, and troubled asset specialist position, as such positions are described in the Field Resource Manual (Wave 1) entitled ''Transformation: Multifamily for Tomorrow'' of the Department of Housing and Urban Development) of the Office of Multifamily Housing of the Department of Housing and Urban Development, or newly hire an employee for any asset management position, that is located at a Core office (as such term is used in such Field Resource Manual) before filling each such asset management position that is located at a Non-Core office (as such term is used in such Field Resource Manual) and has been vacated since October 1, 2015.

H.R. 2577

OFFERED BY: MR. LEWIS

AMENDMENT NO. 38: Page 156, after line 15, insert the following new section:

SEC. 416. Notwithstanding Mortgagee Letter 2015-12 of the Department of Housing and Urban Development (dated April 30, 2015) or any other provision of law, the Secretary of Housing and Urban Development shall—

(1) implement the Mortgagee Optional Election (MOE) Assignment for home equity conversion mortgages (as set forth in Mortgagee Letter 2015-03, dated January 29, 2015), allowing additional flexibility for non-borrowing spouses to meet its requirements; and

(2) provide for a 5-year delay in foreclosure in the case of any other home equity conversion mortgage that—

(A) has an FHA Case Number assigned before August, 4, 2014; and

(B) has a last surviving borrower who has died and who has a non-borrowing surviving spouse who does not qualify for the Mortgagee Optional Election and who, but for the death of such borrowing spouse, would be able to remain in the dwelling subject to the mortgage.

H.R. 2577

OFFERED BY: MR. ZELDIN

AMENDMENT NO. 39: At the end of the bill, (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Administrator of the Federal Aviation Administration to institute an administrative or civil action (as defined in section 47107 of title 49, United States Code) against the sponsor of the East Hampton Airport in East Hampton, NY.

H.R. 2577

OFFERED BY: MR. PETERS

AMENDMENT NO. 40: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used in contravention of Executive Order 11246 (relating to Equal Employment Opportunity).

H.R. 2577

OFFERED BY: MR. HULTGREN

AMENDMENT NO. 41: None of the funds made available by this Act may be used by the Federal Aviation Administration for the biodata assessment in the hiring of Air Traffic Control Specialists.

H.R. 2577

OFFERED BY: MR. MEEHAN

AMENDMENT NO. 42: At the end of the bill (before the short title), insert the following:

SEC. 416. None of the funds made available by this Act for Amtrak capital grants may be used for projects off the Northeast Corridor until the level of capital spending by Amtrak for capital projects on the Northeast Corridor during fiscal year 2016 equals the amount of Amtrak's profits from Northeast Corridor operations during fiscal year 2015.

H.R. 2685

OFFERED BY: MR. KING OF IOWA

AMENDMENT NO. 1: At the end of the bill, before the short title, add the following new section:

SEC. ____. None of the funds appropriated or otherwise made available in this Act shall be used by the Department of Defense to process pursuant to the memorandum of the Secretary of Defense entitled ''Military Accessions Vital to National Interest (MAVNI) Program Eligibility'' and dated November 2014 any application wherein an individual relies on a granted deferred action by the Department of Homeland Security pursuant to the Deferred Action for Childhood Arrivals (DACA) process established pursuant to the memorandum of the Secretary of Homeland Security entitled ''Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children'' and dated June 15, 2012.

H.R. 2685

OFFERED BY: MR. HUIZENGA OF MICHIGAN

AMENDMENT NO. 2: At the end of the bill (before the short title), insert the following:

SEC. 10003. None of the funds made available by this Act may be used by the Defense Logistics Agency to implement the Small Business Administration interim final rule titled ''Small Business Size Standards; Adoption of 2012 North American Industry Classification System'' (published August 20, 2012, in the Federal Register) with respect to the procurement of footwear.

H.R. 2685

OFFERED BY: MR. MCCLINTOCK

AMENDMENT NO. 3:

SEC. ____. None of the funds made available by this Act may be used to carry out any of the following:

(1) Sections 2(b), 2(d), 2(g), 3(c), 3(e), 3(f), or 3(g) of Executive Order 13423.

(2) Sections 2(a), 2(b), 2(c), 2(f)(iii-iv), 2(h), 7, 9, 12, 13, or 16 of Executive Order 13514.

(3) Subsection (e) and paragraphs (4), (9), (10), and (12) of subsection (c) of section 2911 of title 10, United States Code.

(4) Sections 400AA or 400 FF of the Energy Policy and Conservation Act (42 U.S.C. 6374, 6374e).

(5) Section 303 of the Energy Policy Act of 1992 (42 U.S.C. 13212).

(6) Section 203 of the Energy Policy Act of 2005 (42 U.S.C. 15852).

H.R. 2685

OFFERED BY: MR. HUFFMAN

AMENDMENT NO. 4: Strike section 8053.

H.R. 2685

OFFERED BY: MR. MACARTHUR

AMENDMENT NO. 5: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to divest or retire, or to prepare to divest or retire, KC–10 aircraft.

United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161 WASHINGTON, TUESDAY, JUNE 9, 2015 *No. 91*

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The PRESIDENT pro tempore. Today's opening prayer will be offered by the guest chaplain, Rabbi Harold Kravitz from Minnetonka, MN.

The guest Chaplain offered the following prayer:

Our God of all that is good, it is a privilege to be inside this Capitol Building, richly designed to inspire those who govern to achieve the loftiest goals possible for this Nation.

Guide the Senators who sit in this Chamber to do what the Book of Deuteronomy describes: ''that which is right and good in the sight of the Eternal One.''

We pray for all Americans, especially those who lack sufficient food to feed themselves and their families. This body has the power to change this reality, to do that which is right and good.

May the One who Provides Sustenance for All—Hazan et Hakol—bless this United States Senate with the wisdom and compassion to act on its responsibilities for those who are vulnerable and in need.

May all God's people in this land be able to live with dignity and share in the plenty with which this Nation is blessed.

Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

Mr. REID. Mr. President, the majority leader and I will yield to the Senator from Minnesota.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Minnesota.

Mr. FRANKEN. Thank you, Leader REID.

WELCOMING THE GUEST CHAPLAIN

Mr. FRANKEN. Mr. President, I rise today to thank Rabbi Harold Kravitz for offering the opening prayer today in the Senate and to praise him for all of his excellent work.

Rabbi Kravitz is rabbi at Adath Jeshurun in my State of Minnesota and is an important leader in our State. In addition to serving his congregation, Rabbi Kravitz is also a leader in the fight against hunger. He is outgoing chair of the board of MAZON: A Jewish Response to Hunger, where he has been working to end hunger for all people regardless of their faith background.

One of the things most notable about Rabbi Kravitz is his commitment to bringing together people of all faiths to end hunger. I especially want to recognize Rabbi Kravitz's work in Minnesota to make school lunches free and available for all children.

No child should ever go hungry. We know kids won't do as well in school when they are hungry. It is also just wrong. That is why I have taken up the issue at the Federal level as well, to try to make this commonsense policy that Rabbi Kravitz has championed in MAZON as widespread as possible.

Rabbi Kravitz has done excellent work in Minnesota and as a national leader in the fight against hunger. Thank you for that, Rabbi, and thank you again for offering the opening prayer this morning.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

OBAMACARE

Mr. MCCONNELL. Mr. President, sometimes the divide between the White House and reality can be stark. That was evident yesterday when President Obama told us that Obamacare was ''working'' and that essentially ''none'' of the warnings of the law's failures and broken promises had come to pass. I imagine the families threatened with double-digit premium increases would beg to differ, as would the millions of families who received cancelation notices for the plans they had and wanted to keep. That is especially true considering something else the President said—that Obamacare ''hasn't had an adverse effect on people who already had health insurance.'' That is what the President said, that Obamacare hasn't had an adverse effect on people who already had health insurance. President Obama actually said that. It may border on the absurd, but he did say it.

Perhaps the President will make even more bizarre claims today as he tries to bolster the image of a law that only 11 percent of Americans say is a success—only 11 percent of Americans say Obamacare is a success—or perhaps he will keep realities facing the middle class in mind. Instead of jousting with reality again, perhaps he will consider the concerns of constituents who write in literally every day to tell us how this law is hurting them. Maybe he will remember the Kentuckian who wrote to tell me this: ''I cried myself to sleep.''

''I cried myself to sleep,'' said this Kentuckian who wrote to me about this law. That is how she felt after losing health coverage with her employer and then being forced—forced—into an exchange plan she called ''subpar'' with a nearly $5,000 deductible. How helpful to most middle-class people is a health insurance policy with a $5,000 deductible? She said, ''I work hard for every penny I earn, and this is completely unacceptable.'' It is also another example of a law that has failed, and the sooner President Obama can come to grips with that reality, the sooner we

● This ''bullet'' symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

can work together to replace the fear and anguish of Obamacare with the hope and promise of true health care reform.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. MCCONNELL. Mr. President, on an entirely different matter, the Defense authorization legislation before the Senate would authorize the programs and funding that provide the kind of training and equipment our military needs in the face of aggressive threats such as ISIL. It would provide a well-deserved pay raise to the brave men and women who give us everything to keep us safe. It contains exactly the same level of funding—exactly the same level of funding—President Obama requested in his own budget: $612 billion.

It is just the kind of legislation you would expect to receive strong bipartisan support. Up until now, it has. The NDAA is a bill we typically consider every year, and it is one that typically passes with bipartisan support. This year's House bill passed with votes from both parties, while the Senate version of the bill passed the Armed Services Committee by a huge bipartisan margin of 22 to 4. That was in the Senate Armed Services Committee, the vote on the bill we have before us. It should be sailing through the Senate for passage by a similar margin this week, but some in the Democratic leadership are now trying to hold it hostage for partisan reasons.

We live in an age when, as Henry Kissinger recently put it, ''the United States has not faced a more diverse and complex array of crises since the end of the Second World War.'' Yet some Democratic leaders seem to think this is the moment to hold our national security hostage to the partisan demands for more spending on Washington bureaucracies, such as the IRS. They seem to think it is OK to hold our troops and their families to ransom if they can't plus-up unrelated bills, such as the one that funds their own congressional offices.

The Armed Services Committee chairman just penned an op-ed on the issue that I would ask my colleagues to read. It made many important points, including this one: There is bipartisan consensus that we cannot continue to hold defense funding at BCA levels after years of dangerous cuts. Military officials have told us that to do so could put American lives at risk, which means it is a scenario we should be working to avoid at all costs. But some Democratic leaders seem to view such a worrying scenario as little more than leverage to extract more spending for unrelated bureaucracies.

''It is the first duty of the federal government to protect the nation,'' Senator MCCAIN wrote in his piece. ''With global threats rising, it simply makes no sense to oppose a defense policy bill full of vital authorities that our troops need for a reason that has nothing to do with national defense spending.'' He is right.

I ask unanimous consent that Senator MCCAIN's op-ed be printed in the RECORD at the conclusion of my remarks.

Here is what I am asking today. I am asking every sensible Democratic colleague to keep onside with the American people and pull these party leaders back from the edge. I am asking my friends across the aisle to join with us to support wounded warriors instead of more partisan brinksmanship, to give our troops a raise instead of giving gridlock a boost. And I am asking them to work with us to defeat the contingency funding amendment offered by the senior Senator from Rhode Island so that we can keep this bill intact and consistent with the budget resolution.

The new Congress has been on a roll in recent months, getting things done for the American people in a spirit of greater openness and cooperation. Let's keep the momentum going. Let's keep that spirit alive. If Senators have amendments, I would encourage them to work with Senator MCCAIN to get them processed. But above all, let's ignore the partisan voices of the past and work together for more shared achievements instead. I think our troops and their families deserve no less.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From Politico, June 9, 2015]

OBAMA IS WRONG TO HOLD DEFENSE FUNDING HOSTAGE

(By Sen. John McCain)

Congress has passed a National Defense Authorization Act, vital legislation providing the necessary funding and authorities for our military and the men and women who volunteer to defend the nation, for 53 consecutive years. This year's NDAA should be no different.

The NDAA delivers sweeping defense reforms that will enable our military to rise to the challenges of a more dangerous world. The legislation contains the most significant reforms in a generation to a broken acquisition system that takes too long and costs too much. It modernizes and improves our 70-year-old military retirement system, expanding benefits to the vast majority of service members excluded from the current system. The NDAA reforms Pentagon management to ensure precious defense dollars are focused on our war fighters, not on expanding bloated staffs, which have grown exponentially in recent years.

With $10 billion in wasteful and excessive spending identified in the Pentagon's budget, the legislation invests in crucial military capabilities for our war fighters. The bill accelerates Navy shipbuilding and adds fighter aircraft to address shortfalls across the services. As adversaries threaten our military technological advantage, the bill looks to the future and invests in new breakthrough technologies, including directed energy and unmanned combat aircraft.

Despite these critical reforms, President Barack Obama is threatening to veto the NDAA and future defense spending bills for reasons totally unrelated to national security.

The Budget Control Act, which set in motion dangerous defense cuts, establishes caps on defense and nondefense discretionary spending. There is bipartisan consensus on the dangerous impact these spending caps would have on defense. All of the military service chiefs testified this year that funding defense at the level of the BCA caps would put American lives at risk.

Rather than seeking to avoid this scenario at all costs, the president is using it as leverage to extract increases in nondefense spending. As his veto threat made clear, the president ''will not fix defense without fixing nondefense spending.''

Such intransigence shows a disturbing misalignment of White House priorities. It is the first duty of the federal government to protect the nation. With global threats rising, it simply makes no sense to oppose a defense policy bill full of vital authorities that our troops need for a reason that has nothing to do with national defense spending.

The NDAA fully supports Obama's budget request of $612 billion for national defense, which is $38 billion above the spending caps established by the Budget Control Act. In other words, this legislation gives the president every dollar of budget authority he requested. The difference is that NDAA follows the Senate Budget Resolution and funds that $38 billion increase through Overseas Contingency Operations funds.

Parroting White House rhetoric, some Senate Democrats have been spreading misinformation about OCO funding, saying this funding is inappropriate or somehow limited in its ability to support our military. This is nonsense. The NDAA purposefully placed the additional $38 billion of OCO funding in the same accounts and activities for which the president himself requested OCO money.

To be clear, using OCO to pay for our national defense is not my preference. But given the choice between OCO money and no money, I choose OCO, and multiple senior military leaders testified before the Armed Services Committee this year that they would make the same choice for one simple reason. This is $38 billion of real money that our military desperately needs, and without which our top military leaders have said they cannot succeed.

It remains my highest priority as chairman of the Senate Armed Services Committee to achieve a long-term, bipartisan solution that lifts the BCA caps once and for all. Obama says this is his goal as well. But the NDAA is a policy bill—not a spending bill—and cannot accomplish that goal. In the absence of such an agreement, I refuse to ask the brave young Americans in our military to defend this nation with insufficient resources that would place their lives in unnecessary danger. Holding the NDAA hostage to force that solution would be a deliberate and cynical failure to meet our constitutional duty to provide for the common defense.

It is simply incomprehensible that as America confronts the most diverse and complex array of crises around the world since the end of World War II, that a president would veto funding for our military to prove a political point. The NDAA before the Senate authorizes $612 billion for national defense. This is the amount requested by the president and justified by his own national security strategy. For the sake of the men and women of our military and our national security, it's time the president learned how to say yes.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

AFFORDABLE CARE ACT

Mr. REID. Mr. President, the majority leader can't seem to let the facts as they exist get in the way of his ideology. The facts are that the Affordable Care Act is working, and 16.5 million people are proof of that because they have access to health care, most of whom did not have it before.

In the light of day, it has been shown that private insurance companies were taking advantage of the American people. They cannot do that now under the Affordable Care Act. Companies that are proposing these huge rate increases simply won't get them. Understand that 80 percent of every dollar that is charged by an insurance company in premiums—80 percent of it—has to go toward caring for people. If it doesn't, there are rebates, and hundreds of thousands of Americans during the last few years have gotten rebates as a result of insurance companies not spending 80 percent of the money they are getting in premiums for health care.

The sad commentary is that insurance companies took advantage—took advantage by not insuring people who had preexisting disabilities. One ''disability'' that insurance companies said was preexisting was the fact that you are a woman. Some insurance companies charged more for the same care if you are a woman and not a man. We have wide-ranging evidence that was in existence before and I guess my Republican colleagues want back again where insurance companies determine how much—they could arbitrarily cut off insurance to someone. They had these arbitrary limits. They can't do that anymore. Senior citizens have received millions of benefits from the Affordable Care Act. They get a wellness check every year for no cost at all. They no longer have to worry about the hole in the doughnut, so to speak, as we call it, on coverage for their prescriptions.

There are many things we can talk about. The fact is that the Affordable Care Act is working, and we are going to continue to defend it as the American people want us to do.

AMENDMENT NO. 1521

Mr. REID. Mr. President, this afternoon the Senate will vote on an important amendment offered by a graduate of the United States Military Academy at West Point, the Senator from Rhode Island, JACK REED, who is also the ranking member of the Armed Services Committee.

I commend Senator REED for the stellar job he has done in being a manager of this bill. He is one of the most thoughtful and responsible Members of the Senate and always has been. He has great legislative experience, having served in the House before he came here.

Senator REED's amendment addresses a major threat to our national security and the middle class—sequestration. Sequestration refers to deep, mindless, automatic cuts throughout the government. These cuts were authorized 4 years ago to force Congress to reduce the deficit in a balanced way.

Unfortunately, they did not work. Republicans are unwilling to close even a single tax loophole—not a single tax loophole to reduce the deficit. Now we face the prospect of arbitrary and unreasonable cuts that were once assumed to be so stupid that Congress would not allow them to happen. But something that everyone thought was stupid is now official Republican policy. Unless we can reach a bipartisan agreement to fix sequestration, these cuts will occur, not smoothly but as if done by a meat cleaver.

That threatens not only our military security but also the economic security of America's middle class, which really is our national security. The bill aims to avoid sequestration for the Defense Department with a widely ridiculed budget loophole, which would put actual defense spending on the Nation's credit card, increasing our deficit and our debt.

I am stunned by my friend, the senior Senator from Arizona. When I was an appropriator, I was on this Senate floor and I watched him, with his staff in the back of the room every time we did an appropriations bill. He pored through line by line with his staff of every appropriations bill. If there was something he thought was askew he would object to it. We got used to that because, frankly, it saved money over time.

He referred to all the pork that was in these bills, and he and I disagreed on what was determined to be pork, but I understood where he was coming from. I am just flabbergasted now that the senior Senator from Arizona, the chairman of the Armed Services Committee, is agreeing to a one-time gimmick. All the experts have said these gimmicks don't work—especially this one. Now, the committee, led by my friend the senior Senator from Arizona, is agreeing to this gimmick. Think of that. The Republicans, led by the senior Senator from Arizona, are advocating deficit spending big time—not a little bit, big time—tens of billions of dollars.

Our troops deserve better than this. Meanwhile, unless we deal with the impact of sequestration more broadly, middle-class America will suffer drastic cuts in things that matter to them the most—cuts in priorities such as education, job creation, and lifesaving research. Sequestration of nondefense programs is also an attack on our military families. For example, sequestration threatens to cut VA spending, health care spending for the military, job training for returning veterans, schools that teach children of military families, and heating assistance for veterans who are struggling.

If we are going to be fair to military families, just as to millions of other working Americans, we need to fix sequestration for more than just the Pentagon. We need to fix it for defense and nondefense programs jointly. Defense and nondefense are inextricable. They are certainly things we cannot separate.

That is what the Reed amendment is designed to change through bipartisan negotiations. There is no reason to wait to negotiate a bipartisan budget. It makes no sense to start spending extra money on defense or anything else until we agree on an overall plan. Put simply, we ought to budget first and spend later. That is the only responsible way for a family or our Nation to conduct its business.

That is why the Reed amendment makes so much sense. I urge my colleagues to support the Reed amendment. A plan that avoids unnecessary cuts to priorities such as education, job creation, and research is what the Reed amendment is all about. It is a plan that funds all agencies that protect our security, including the FBI, the Department of Homeland Security, and the Drug Enforcement Administration—all of these vital programs. It is a plan that funds our troops, protects military families, and makes the long-term investment needed to ensure a secure, prosperous future for all Americans.

Less than 2 years ago, Democrat PATTY MURRAY and Republican PAUL RYAN proved it could be done. Let's put an end to the games and gimmicks and start putting together a responsible budget.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided, with the majority controlling the first half and the Democrats controlling the final half.

The Senator from South Dakota.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. THUNE. Mr. President, last fall, Republicans promised that if we were elected to the majority in the Senate, we would get the Senate working again. A big part of that is getting the appropriations process working again. When the Senate is functioning properly, 12 separate appropriations bills are considered individually in the Appropriations Committee and then brought to the Senate floor for debate and amendment.

This process is designed to allow Senators to carefully examine programs and consider the best and most responsible way to distribute funding. But the

appropriations process has not worked that way for a while. Too often, over the past few years, the majority of the year's appropriations bills have been thrown together in one catchall funding bill, greatly reducing Senators' ability to take a hard look at spending and to ensure that funds are being allocated responsibly.

Republicans are determined to change that. We started the appropriations process by passing a balanced budget resolution for the first time in over 10 years. This week, we continue the process with the National Defense Authorization Act, which authorizes funding for our Nation's defense and our men and women in uniform. This authorization bill is the first step in the appropriations process for defense funding under what we call regular order.

This legislation accomplishes a number of important things. It authorizes funding for our military at the President's requested level of $612 billion. It also eliminates waste and inefficiencies. Specifically, the bill targets $10 billion in wasteful and unnecessary spending and redirects those funds to military priorities such as funding for aircraft and weapons systems and modernization of Navy vessels.

The bill also focuses heavily on reform. The military's current process for acquiring new equipment and technologies is inefficient and bureaucratic. It wastes our Nation's resources and, even more importantly, it reduces our military readiness by delaying the acquisition of essential weapons, equipment, and technology. The National Defense Authorization Act introduces broad reforms to modernize and streamline the acquisitions process, which will significantly improve the military's ability to access technology and equipment when it needs it.

The act also implements a number of reforms to the Pentagon's administrative functions. Over the past few years, Army Headquarters staff has increased while combat personnel have been cut. Army Headquarters staff increased 60 percent over the past decade, yet the Army is currently cutting brigade combat teams.

From 2001 to 2012, the Department of Defense's civilian workforce grew at five times the rate of Active-Duty military. Prioritizing bureaucracy at the expense of our preparedness and our Active-Duty military is not an acceptable use of resources.

The Defense authorization bill that we are considering changes the emphasis at the Department of Defense from administration to operations, which will help ensure that our military personnel receive the training they need and that our military is ready to meet any threats that arise. Finally, this bill overhauls our military retirement system. The current military retirement system limits retirement benefits to soldiers who served for 20 years or more, which eliminates 83 percent of those who have served, including many veterans of the wars in Iraq and Afghanistan.

The National Defense Authorization Act replaces this system with a modern retirement system that would extend retirement benefits to 75 percent of our servicemembers. The bill before us today is a strong bill. It is the product of bipartisan efforts. It authorizes funding for our troops at the level requested by the President and provides key reforms that will strengthen our Nation's defense and improve training benefits and quality of life for our servicemembers.

Supporting this legislation should be a no-brainer. Incredibly, however, the President has threatened to veto this important legislation. His reason is that the President does not want our military to receive the increased levels of funding proscribed in this bill unless the President's nondefense funding priorities receive an increased level of funding.

That is right. Apparently, President Obama is willing to hold up funding for our Nation's military until Congress provides more funding for agencies such as the IRS and the EPA. Well, the President can certainly make his case to Congress when it comes to funding government agencies. Holding troop funding hostage for political purposes is reckless and irresponsible. If that were not enough, the White House is busy lobbying Senate Democrats to abandon bipartisan efforts that went into this bill and back up a Presidential veto.

The National Defense Authorization Act plays a key role in keeping our Nation safe. The President's attempt to hijack this bill for his political purposes is wrong. I very much hope that he will consider the implications of what he is doing and rethink that threat.

OBAMACARE

Mr. THUNE. Mr. President, before I close, I want to take just a few minutes and discuss the President's health care law. The President made some comments yesterday on the upcoming Supreme Court ObamaCare decision. Referring to his health care law, the President said:

> What's more, the thing's working. Part of what's bizarre about this whole thing is we haven't had a lot of conversations about the horrors of ObamaCare because it hasn't come to pass.

That was from the President yesterday. Let me just repeat and put that into context. The President of the United States thinks that ObamaCare is working and that negative predictions about the law have not come to pass. Well, to respond to that, let me just read a few headlines from the past couple of weeks. This from CNN: ''Obamacare sticker shock: Big rate hikes proposed for 2016.'' From the Associated Press: ''Many health insurers go big with initial 2016 rate requests.'' From The Hill: ''Overhead costs exploding under ObamaCare, study finds.'' From the Associated Press again: ''8 Minnesota health plans propose big premium hikes for 2016.'' From the Lexington Herald-Leader: ''Most health insurance rates expected to rise next year in Kentucky.''

I could go on. The truth is that not only is ObamaCare not working, but it is rapidly unraveling. A May 1 headline from the Washington Post reported: ''Almost half of Obamacare exchanges face financial struggles in the future.''

Hawaii's exchange has already failed. California's exchange is struggling to sign up consumers. One-third of the consumers who purchased insurance on the California exchange in 2014 declined to reenroll in 2015. The Massachusetts exchange is being investigated by the Federal Government.

Colorado's exchange is struggling financially and has raised fees for consumer insurance plans. Rhode Island's Governor is pushing for new fees on insurance plans to help fund the $30.9 million operating cost of the Rhode Island exchange. Now, incidentally, that is $30.9 million to run an exchange that serves just 30,000 people.

The Minnesota exchange was supposed to cover than more than 150,000 individuals in its small business marketplace by 2016. So far, it is covering 1,405 individuals, or approximately 1 percent of the number it is intended to cover. The Minnesota exchange has cost Federal taxpayers $189 million so far—$189 million for an exchange that provides coverage for just 61,000 people.

A recent Forbes article notes that Vermont's exchange ''will need $51 million a year to provide insurance to fewer than 32,000 enrollees—or $1,613 per enrollee in overhead. Before ObamaCare, $1,600 would have been enough to pay for the entire annual premium for some individual insurance plans.''

While the ObamaCare exchanges unravel, health insurance costs on the exchanges are soaring. Insurers have requested double-digit premium increases on 676 individual and small group plans for 2016. More than 6 million people are enrolled in plans facing average rate increases of 10 percent or more. Around the country, rate increases of 20, 30, 40, and even 50 percent are common.

One health care plan in Arizona is seeking a rate increase of 78.9 percent—so much for the President's promise that his health care plan would ''bring down the cost of health care for millions''. In my home State of South Dakota, proposed rate increases range up to 44.4 percent. That is not something South Dakota families can afford.

The discussion about ObamaCare's success or failure is no longer theoretical. The evidence is in, and it shows the President's health care law is broken. It is time to repeal ObamaCare and to replace it with real health care reforms that will actually drive down costs. Five years under ObamaCare is long enough for American families.

EPA RULE AND BIG STONE PLANT

Mr. THUNE. Mr. President, I wish to speak about the President's misguided plan to reduce carbon emissions from existing powerplants, specifically the impact it is going to have on my home State, South Dakota.

Over the last year, EPA has claimed its rule will grant States flexibility to meet burdensome emission reduction targets. However, there is really only one way for South Dakota to meet its staggering target of a 35-percent reduction; that is, by effectively shutting down Big Stone Plant, our only baseload coal-fired plant, which will soon be among the cleanest in the country.

The plant, which provides affordable power to thousands in South Dakota and neighboring States, is nearing completion of a $384 million environmental upgrade project to meet the EPA's regional haze and Utility MACT regulations. So as you can see, highlighted on this poster by a Watertown public opinion op-ed headline, the clean powerplant would threaten this significant investment.

The EPA has required this nearly $400 million upgrade—which is more than the original cost, the entire original cost of the plant itself—and is now turning around and saying: That is not enough. We want it shut down.

Let me repeat that. The EPA has required a $384 million environmental upgrade to make the plant among the cleanest in the country and now wants to put all that to waste. This isn't right, and this will stick South Dakotans with holding the bill.

When the Obama EPA pushes new regulations to attack affordable and reliable coal generation, it is low-income families who take the biggest hit. South Dakotans have already seen their electricity rates increased to pay for that $384 million add-on, but the Clean Power Plan will limit the ability for this investment to be recouped, and now they will be charged even more.

This is because the Clean Power Plan would require Big Stone Plant to run less, even on a limited or seasonal basis, not at the high capacity for which it was designed and is most efficient. At the same time, the Clean Power Plan would require the plan to run more efficiently to meet strict emission requirements. So, again, we have had this nearly $400 million investment to make the plant cleaner and more efficient in order to satisfy the EPA, and now the Obama EPA wants to shut it down.

The Obama EPA should not push regulations that result in higher utility costs for consumers, less grid reliability, and fewer jobs. Affordable and reliable energy helps grow the economy and helps low- and middle-income families make ends meet.

Unfortunately, the EPA's rule will only increase electrical rates and hurt those who can afford it the least by forcing our most affordable energy sources offline.

I urge my colleagues to join me in opposing this burdensome rule and to prevent the serious economic burden it will impose on middle-income families in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

OBAMACARE

Mr. BARRASSO. Mr. President, this morning President Obama will be speaking at a meeting of the Catholic Health Association of the United States.

Now, the White House says the President will talk about his health care law. The President has already been spending a lot of time talking about the law. At the G7 summit in Germany this past weekend, the President was asked about the law and what he said is: ''The thing is working.''

He said: ''We haven't had a conversation about the horrors of ObamaCare because none of them have come to pass.''

The President must be kidding himself.

This morning, when he talks to this Catholic health care group, President Obama should stop his denial and he should confess the truth. If he gives another rosy speech about the impact of this terrible law, he will be, once again, intentionally and deliberately misleading the people in his audience.

The President should not stand on the stage today and pretend his law is helping more people than it hurts. He should not stand on that stage today and pretend he hasn't heard that his law is causing premiums to skyrocket. He should not stand on that stage today and pretend he has kept his promises about this law. He should not stand on that stage today without admitting his law has cut into the take-home pay of millions of hard-working Americans.

What the President should do is talk about how his health care law has hurt nonprofit hospitals like the Catholic hospitals across the country. That was the subject of a Wall Street Journal article just last Wednesday with the headline: ''Hospitals Expected More of a Boost From Health Law.''

Now, remember, President Obama said his health care law was going to help hospitals. He said it would help hospitals because uninsured people wouldn't be coming into the emergency room needing free care anymore.

Well, that hasn't happened. Even more people are going to the emergency room today. According to the Wall Street Journal, nonprofit hospitals have seen a huge increase in Medicaid patients—and Medicaid pays only about half of the cost of caring for patients.

The article gives an example of a group of nonprofit hospitals near St. Louis. It has lost about $5 million as a result of President Obama's Medicaid expansion. That is a big hit for a nonprofit hospital to take. It directly affects hospitals' ability to continue providing high-quality care.

If President Obama is honest today, I would say he needs to explain to this Catholic health care group why his health care law has not lived up to expectations. Is he going to explain why his law is hurting their ability to provide care? It is not only hospitals that are being hurt by ObamaCare, millions of people across the country are seeing the news that their insurance premiums might soar by 20 percent, 30 percent or even more next year.

In North Carolina, Blue Cross Blue Shield says it needs to raise premiums by 26 percent. In Minnesota, Blue Cross wants to raise rates by 54 percent. President Obama spent part of his childhood in Hawaii. One insurance company there is planning to raise premiums by 49 percent.

Will the President explain to this group today why premiums are skyrocketing?

I will tell you why they are skyrocketing. It is because of the cost of all the Washington-mandated services that came from ObamaCare. Another reason costs are going up is all the bureaucracy that came with the health care law.

There was an article in The Hill newspaper May 27 with the headline: ''Overhead costs exploding under ObamaCare, study finds.''

The article says:

> Five years after the passage of ObamaCare, there is one expense that's still causing sticker shock across the health care industry: overhead costs.

It continues:

> The administrative costs for healthcare plans are expected to explode by more than a quarter trillion dollars over the next decade, according to a new study.

This is $270 billion ''over and above what would have been expected had the health care law not been enacted.''

That is what this study found.

Under the health care law, Washington has been spending billions of taxpayer dollars on health care: $1 out of every $4 is going to overhead—not to treat sick or injured people, not to help or prevent disease, no, to overhead. It is the President's law. It is incredible. This money isn't being used to help one sick child, to provide medicine for a single individual, it is overhead.

As one of the study's authors put it, the money ''is just going to bureaucracy.'' According to this study, this works out to $1,375 per newly insured person per year under Obama's health care law. Now, of course, people's premiums are going through the roof. The health care law created or raised 20 different taxes.

Maybe President Obama today should explain why $1 out of every $4 that Washington spends on health care should go to bureaucracy instead of caring for patients. The President's health care law is hurting hard-working American families who are going to have to pay premiums of 40 to 50 percent more next year. It is hurting the hospitals that are supposed to provide

the actual health care to those patients. It is wasting hundreds of billions of dollars on overhead and bureaucracy instead of caring for sick people.

ObamaCare is an expensive disaster. Now, that is not just my opinion. A new poll came out the other day from CNN. It found only 11 percent, only one in nine Americans say the law is a success. President Obama says the law is working. Well, only one in nine agree with him. In another poll, just 39 percent of people support the law. That is down 10 percentage points in 1 year.

You ask: Why is it?

Well, because people look at it and say it is a bad deal for them personally.

The President made promises, and he has broken them. He said: If you like your coverage, you can keep your coverage.

Millions lost their coverage. He said the cost of insurance premiums would drop by $2,500 per year.

Costs have exploded, the cost of the premiums, the cost of the copays, the cost of the deductibles, and many people who have this expensive new insurance cannot get care. Coverage does not equal care. That is why this health care law is more unpopular now than ever before.

Sometime this month the Supreme Court could make an important decision about the health care law. The Court is set to rule on whether some of the billions of taxpayer dollars that President Obama has been spending were even supposed to be spent under the law. This decision could affect more than 6 million Americans. So you would assume the White House is prepared for the decision. You would assume the White House would have a plan.

Well, does the White House have a plan for these 6 million Americans who are worried about how they will pay for their expensive, new ObamaCare plans with all of its mandates? Not according to the President.

In Germany yesterday, the President refused repeatedly—refused—to talk about a plan B. The closest he came was to say, ''Congress could fix this whole thing with a one-sentence provision.'' That is not a real solution. People see their premiums going up, and they are very concerned.

President Obama owes America a serious answer. Republicans aren't interested in a one-sentence fix unless that sentence is: ObamaCare is repealed.

We want to protect the American people from this complicated, confusing, and costly health care law.

If the Court rules against the President, then Republicans will be ready to sit down with Democrats to get some things right. That means stopping ObamaCare's broken promises and its harmful mandates.

Republicans will offer a plan, and we will work with the President to give people back the freedom, the freedom to make health care choices that work for them and for their families. It will be up to the President and Democrats in Congress whether they want to join us or if they want to continue with their partisan fight and their delusions that this law is popular and working. I hope they will work with us on the reforms the American people need, want, and deserve.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

ARENA ACT

Mrs. CAPITO. Mr. President, I rise to speak about our Nation's energy economy.

''Alpha Natural to Lay Off 439 at West Virginia Coal Mine''; ''Murray Energy expects more than 1,800 coal mine layoffs''; ''Job Cuts Are Devastating Blow for Ohio Valley Coal Miners''; ''Coal analyst says industry facing toughest time''; ''Power Bills To Get Higher''—these are just some of the headlines that have been in the recent news in my area. These headlines are a stark reminder of the impact misguided Federal policies will have on the lives of real people.

West Virginia and other energy-producing States have suffered devastating blows. Hard-working Americans are losing their jobs as their energy bills keep climbing. I come to the floor to encourage my colleagues to stand up for our Nation's energy future.

Last month, I introduced the Affordable Reliable Energy Now Act—the ARENA Act—with Leader MCCONNELL, Chairman INHOFE, my fellow West Virginian JOE MANCHIN, and nearly 30 of my colleagues. This bipartisan legislation would empower States to protect families and businesses from electricity rate increases, reduced electrical reliability, and other harmful effects of the Clean Power Plan.

The ARENA Act would require that any greenhouse gas standards set by the EPA for new coal-fired powerplants are achievable by commercial powerplants, including highly efficient plants that utilize the most modern, state-of-the-art emissions control technologies.

Back in February, I asked EPA Acting Assistant Administrator Janet McCabe to explain why, despite multiple invitations from Federal and State legislators, the EPA did not hold a public hearing on its proposed Clean Power Plan in West Virginia, given the large role coal plays in our economy and our electricity generation. And do you know what she said? She told me public hearings were held in places where people were ''comfortable.'' Well, that response is unacceptable to me and to the people of my State. That response, which represents EPA's disregard for the real-world impacts of its policies, helped shaped this legislation.

The EPA's proposed greenhouse gas regulations will negatively impact both energy affordability and energy reliability. Coal provided 96 percent of West Virginia's electricity last year and West Virginia was among the lowest electricity prices in the Nation. Last year, the average price was 27 percent below the national average, but these low prices are not likely to survive this administration's policies.

Studies have projected that the Clean Power Plan will raise electricity prices in West Virginia between 12 and 16 percent. Just last month, 450,000 West Virginia families learned of a 16-percent increase in the cost of electricity. While there were multiple factors that contributed to this rate increase, compliance with previous EPA regulations played a significant role. If we allow EPA's plan to move forward, last week's rate increase will only be the tip of the iceberg.

Affordable energy matters. Mr. President, 430,000 low- and middle-income families in West Virginia, which is nearly 60 percent of our State's households, take home an average of less than $1,900 a month and spend 17 percent of their aftertax income on energy. These families are especially vulnerable to the price increases that will result from the Clean Power Plan.

Other West Virginia families will bear the brunt of the EPA's policy more directly. In the past few weeks, 1,800 West Virginia coal miners received layoff notices. The notices came at Alpha Natural Resources and Murray Energy—the two largest coal companies in our State. Patriot Coal also filed for bankruptcy for a second time. Three coal-fired powerplants closed, also costing more jobs in the State of West Virginia.

When mines and coal-fired powerplants close, the ripple effect is felt throughout our entire economy. The Wheeling Intelligencer reported that the Murray Energy layoffs alone would mean almost $62 million in annual lost wages for Ohio Valley residents.

Other parts of our State have been hit just as hard. In Nicholas County, the local government was forced to lay off employees, including a number of sheriff's deputies, because of a drop in the coal severance tax.

Last month, the Energy Information Agency released its analysis of the proposed rule. The administration's own energy statistician found that the Clean Power Plan would shut down more than double the coal-fired powerplant capacity we have by the end of this decade.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. CAPITO. I thank the Chair. I urge support for the ARENA Act, and I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. NELSON. Mr. President, what is our parliamentary situation?

The PRESIDING OFFICER. The Senate is in morning business, with Senators permitted to speak therein for up to 10 minutes.

Mr. NELSON. May I be recognized.

The PRESIDING OFFICER. The Senator from Florida.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. NELSON. Mr. President, I rise to give my overall support for the content of the Defense authorization bill, but my considerable concern and, therefore, my ''no'' vote on final passage in the Committee on Armed Services was because the bill, as crafted by the majority in the committee, is a travesty, using an artificial budget to authorize the necessary operations and troop readiness of our military establishment.

Now, that is what the bill does. It is an artificial budget. That may not sound particularly offensive, particularly when as a policy bill there are many good things in this Defense bill; things such as providing for the increase of our military services; things such as certain weapons systems that are authorized.

Historically, this bill has been recognized as being bipartisan, and it addresses the problems posed by an increasingly dangerous world. The Defense authorization bill has historically provided the military with the resources our Nation needs. But the ranking Democrat, the Senator from Rhode Island, and I are compelled to oppose this bill because it addresses these problems with an artificial budget that treats an essential part of our military, which is preparedness—the necessary operations training and maintenance, preparedness of our military—in an unplanned way. They are treating it as an expense by sending it over to an account that is not even on the budget—an account called overseas contingency operations or the funds for what used to be the Iraq war and is now the winding down of the Afghanistan war. This is an unbudgeted item—operations readiness, training—necessary for our military to be ready, and they are taking it out of the Defense Department budget and sticking it over here. Now, that doesn't make sense.

Some might say: Well, why in the world would they do that? Because folks around here are concerned about something called the sequester, which is supposedly an artificial limit on keeping expenditures of the Federal Government below a certain level. That may sound like a good thing, if it is done with legitimate numbers, but when in fact you are creating that artificial limit pressing down on Federal spending, but you take a major part of that Federal spending out and put it over here in an unaccounted-for account that doesn't reach those budgetary caps, that is nothing more than—I will put it politely—budgetary sleight of hand. I will put it more directly: That is budgetary fakery. Therefore, this Senator is going to oppose the bill.

The Senate Committee on Armed Services has received testimony from military leader after military leader—chief master sergeants, generals, admirals—who have said the policy of this arbitrary budget cap called sequestration is harming our national security and is putting our military strategy at risk.

Our strategy is not just dependent on defense spending, but it is very dependent upon nondefense spending, which in this bill is not even being addressed because that artificial ceiling—the sequestration—is like a meat ax right across the Federal budget. That is affecting—and every one of those military leaders will tell you—that is affecting our military preparedness.

These arbitrary budget caps impact this nondefense spending. It keeps us from providing funds for other agencies that are so essential to the national security. The Coast Guard, they are out there in the war zone. They are in another war zone down in the Caribbean as they are interdicting all kinds of drug smugglers. What about the FBI, the CIA, the DEA, Customs, Border Patrol, Air Traffic Control, TSA? All of those are affected and affect national security.

So if we are going to continue to budget like this, the result is going to be more budget uncertainty for our military, and it is going to end up bleeding funds away from our military readiness.

What we are doing is we are avoiding the obvious. The obvious is working around to bring those numbers down under those artificial budget caps. So it is time for us to get rid of the sequester. We did it before, 2 years ago, with a bipartisan budget—the one known as Murray-Ryan. We need to do it again. Otherwise, right now, we are wasting our time working on bills that have no chance of becoming law. We need to fix the budget caps for defense and nondefense spending. You do not use a bandaid when you have an artery that is gushing blood.

Now, it is not just this. There are other examples. Take, for example, a program that I have some familiarity with—our Nation's space program. We have been trying since 2010, since Senator Kay Bailey Hutchison, a Republican from Texas, and I passed a NASA authorization bill that put us on the course that will ultimately, as the President has now announced, take us to Mars. But we can't get the policy updated because we can't pass another NASA authorization bill. So what happens? It goes to the Committee on Appropriations. Thank goodness we have folks such as Senator SHELBY and Senator MIKULSKI who direct that.

But now what is happening to appropriations bills? They are being put under this sequester, and, because of that, it is going to be hard in this Chamber to get 60 votes to pass appropriations bills. As a result, we are going to be in near cardiac arrest right at the end of the time, during a continuing resolution, which is no way to run a railroad when you appropriate money. We have to come to the altar and realize what we are facing, and that is this artificial budgetary cap.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

ORDER OF PROCEDURE

Ms. HIRONO. Mr. President, I ask unanimous consent that the following speakers in morning business be limited to speak for up to 5 minutes each: Myself, Senators GILLIBRAND, MANCHIN, and MARKEY.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1521

Ms. HIRONO. Mr. President, I rise today to support amendment No. 1521, which would limit the use of overseas contingency operations, or OCO, funds. I am proud to be a cosponsor of this amendment, which was filed by the ranking member of the Senate Armed Services Committee, Senator JACK REED.

I wish to start by thanking Senator MCCAIN and Senator REED for their leadership in producing the underlining bill. Drafting the National Defense Authorization Act, NDAA, is no small task, and I support many important provisions included in the bill. As Ranking Member of the Seapower Subcommittee, I worked with Chairman WICKER to include provisions that will strengthen and support our Navy and Marine Corps.

Every Defense bill presents challenges and tradeoffs. There are competing priorities and compromises. For 52 consecutive years, both Chambers have debated the details and come up with a product that supports and enhances our national security. However, this year's bill presents more than just a difference over details. The overall framework of this bill is a problem. Before us is a bill that presents a serious question about our national values—a question that the Reed amendment would help to answer.

Earlier this year, the Republicans pushed through a budget resolution. That resolution clearly set forth the framework that Chairman MCCAIN had to work within. That framework basically said: We are not going to address sequestration in a meaningful way. Instead, we are only going to provide sequester relief for the defense budget. I note that this budget resolution passed the Senate without a single Democratic vote. I ask my colleagues to join me in objecting to an approach that bifurcates sequester relief as though our country's national security lies only with the Department of Defense, because that is what this NDAA bill does. How? The bill before us takes $38 billion out of the base budget at the Department of Defense and moves it into the OCO budget. The OCO budget is not subject to Budget Control Act caps. The reason for this is that OCO funds are intended to support the unknown unknowns that arise during our security operations abroad. Using the OCO account to fund noncontingency items is irresponsible. It is a 1-year fix, and it adds to our budget deficit. It is not fair to our commanders on the ground, who

have told us that we need to fix sequester permanently so they can prepare for the long term. Using the OCO account to shield the DOD from sequester has been called a gimmick by many.

I am for a strong national defense. However, the foundation of our military strength is the strength of our economy. It is the strength of our communities. It is the strength of our future. Failing to fix sequestration for both defense and nondefense will undermine the strength of our national defense. Again, our national security is not just tied to our military strength. There are other national security initiatives that are not funded by the Department of Defense. For example, we have the State Department, the FBI, Homeland Security, the Coast Guard, and other law enforcement agencies and programs that are all important components of our national security. None of these programs is funded by the Department of Defense.

In addition, the Department of Defense has said that fewer than one in four Americans in the eligible age range are qualified to enlist in the Armed Services. This is due to a variety of reasons, including health, obesity, fitness, mental aptitude, et cetera. Cutting funding to nutrition programs, education initiatives, preventative health measures, and fitness programs will result in even fewer individuals qualifying for our Armed Services. By not fixing both the military and domestic sides of the budget, we are undermining the foundation of our security and our future.

America is one country, and the decisions we make in Congress should reflect that reality. We need to eliminate the sequester because these across-the-board cuts hurt our middle-class families, our small businesses, our military, and our national security. We need to eliminate the sequester—period. To continue to be bound by mindless, across-the-board cuts to both our defense and domestic budgets—cuts that were never supposed to become reality—is pure folly. Congress should come together in a spirit of bipartisan cooperation to fix sequester.

This proposal by Senator REED just fences the $38 billion in OCO funds until Congress comes together to do just that. It doesn't take the funding out of the budget. But it does prevent spending it before relief from Budget Control Act cuts are achieved on both the defense and domestic sides.

I urge my colleagues to support the Reed amendment to provide for a responsible defense budget.

I yield the floor.

The PRESIDING OFFICER (Mr. FLAKE). The Senator from West Virginia.

Mr. MANCHIN. Mr. President, are we in morning business?

The PRESIDING OFFICER. We are.

Mr. MANCHIN. Mr. President, I have always said that being a superpower means more than super military might. It means super diplomacy. It would contain restraint and super fiscal responsibility. All of these are part of being a superpower.

Admiral Mullen, the former chairman of the Joint Chiefs of Staff, once said that the greatest threat to our national security is our debt—not another nation, not another army, not the fear of terrorism, but basically our debt.

The United States has and will continue to have the greatest military in the world. But in order to remain the most powerful, we have to get our financial house in order. I think we all agree to that, but we don't seem to be practicing it very much.

I fully support Senator REED's amendment to basically fence the OCO funding.

If we look to see how we have gotten ourselves into the situation we have now, it is not Democrat or Republican. It is our fault, and it is our responsibility to fix it. Basically, we have had two wars in Afghanistan and Iraq that we didn't fund. We did it through accounting procedures, emergency procedures, and contingency funds. Now we continue to expand upon that, if we go down this route without fixing it with Senator REED's amendment.

Ensuring the safety of the American people does not mean increasing defense spending to fund never-ending wars in the Middle East while ignoring nondefense programs that are also crucial to our national security. I have said this over and over. If we thought money and military might could fix that part of the world, the United States of America would have done it by now.

For years, critical nondefense programs, such as the Department of Homeland Security and the State Department, have been forced to absorb damaging across-the-board cuts. They are also extremely important in safeguarding the homeland.

While we continue to keep in place the budget cuts for these agencies, we have underhandedly gone around spending limits and improperly increased war funding. The most recent gimmick we are talking about, which has been explained, is an attempt to transfer roughly $39 billion from the base budget to the OCO budget to increase funding for overseas conflict. I have said time and again that after a decade of war in the Middle East, costing more than $1.6 trillion, does anyone believe we haven't done our part and tried? If money and might could have changed it, we would have done it by now.

What is more important is that we are denying the funding from other important programs that desperately need these funds to keep our country stable, safe, and secure. In order to be truly secure, we need our non-Department of Defense departments and agencies to be able to function at full capacity also. The Pentagon simply cannot meet the complex set of national security challenges without the help of other government departments and agencies. We are all in this together. We are all responsible to protect this country. But we are all responsible to make sure that we can properly ensure that people have the opportunity to take care of themselves also.

Retired Marine Corps General Mattis said: ''If you don't fund the State Department fully, then I need to buy more ammunition.'' He might have said that in jest, but I think underlying it he really meant it. And last week showed how vulnerable our networks are to cyber attacks from foreign nations and those who wish us harm.

We have had a cyber bill before us for many years now. We have been told on an almost weekly or monthly basis of the threat we face from all different countries trying to hack in to do us harm. Yet we haven't been able to move because of the toxic political atmosphere we have here.

Our national security is also inherently tied to our economic security. Failures to invest in programs such as STEM education and infrastructure projects are short sighted. Failing to provide BCA cap relief to non-DOD departments and agencies would also shortchange our veterans who receive employment services, transition assistance, and housing/homeless support through other agencies such as the Department of Labor. The bottom line is that we need to get our long-term budget that reduces the deficit in line. Increasing the OCO money, as the bill does right now, only hurts that goal and makes it much more difficult and elusive.

Defense budgeting needs to be based on our long-term military strategy, which requires the Department of Defense to focus at least 5 years into the future. This is only a 1-year plan. Do we think it is not going to be extended and extended and extended? Do we think we are going to start it and stop it in 1 year? I don't think so.

The fiscally responsible approach we need to take is to fix the BCA caps. We are hearing about the whole issue of sequestration and how horrible it is. Well, let me tell you how you can fix it: Sit down and put together a budget that is realistic and makes our long-term financial plans solid. That is all it takes. Yet we are unwilling to do it. We are just condemning it. We are condemning it because it constrains how we want to do business, which means not being held accountable or responsible. That is all.

Every meeting I go to, whether it is nondiscretion or military spending—we all need more to expand programs. Yet we never take the GAO's report. The General Accountability Office says we could save $300 billion to $400 billion a year if we could just get rid of the waste and the redundancies that go on, and we are not doing anything about that.

I say again that our national debt is not a Democratic problem or a Republican problem. It is our problem. We all own this one.

In 2008, our country faced one of the worst financial crises in our Nation's history. We added $1 trillion to our debt—on top of the trillions of dollars already spent on two costly wars and the Bush tax cuts, which President Obama basically extended twice.

Between the wars, the tax cuts, the recession, and our out-of-control spending, our Nation's debt has exploded from $5 trillion to $18 trillion. Currently, our deficits are decreasing, from $1.4 trillion in 2009 down to a little under one-half billion dollars, according to the CBO, and it is expected to remain stable for the next couple of years.

The bad news is that after 2017, if we don't change our ways, the deficits are projected to increase over $1 trillion a year through 2025. Unless Congress can put aside partisan politics and put the country on a fiscally sustainable path, we will add over $7.5 trillion to our debt in the next 10 years. That is adding $7.5 trillion to $18 trillion of debt we have right now. There is no way the next generation and the generation after will ever be able to dig out of this hole if we don't fix it now. But we have to be smart about how we reduce spending.

As we saw in the 2013 sequestration, indiscriminate, across-the-board cuts harmed bad and good programs alike, did nothing to reduce waste and abuse, and caused individuals to be furloughed and lose their jobs.

I have always said this: When you start cutting, you don't cut, basically, the items that continue to make progress for you. When the IRS doesn't do its job and it is incapable of doing it—the revenues owed to this country and the taxes that people should be paying—we can't cut back on that and expect it to be solid.

I have pushed hard for a bipartisan compromise that would reduce spending, fix our broken tax system, and reform entitlement programs in order to reduce our debt and provide the economy with certainty and stability.

For instance, we could enact $2.5 trillion in deficit reduction over the next 10 years if we just follow the Simpson-Bowles recommendations. It is an all-encompassing approach that raises revenue and promotes growth through comprehensive tax reform that brings our Tax Code into the modern age—increasing efficiency and simplifying the process for both individuals and businesses.

Additionally, the plan enacts serious entitlement reform and makes additional targeted spending cuts aimed at long-term deficit reduction so that we can encourage economic growth. It is crucial that we make the necessary reforms that will make this Nation a better place for future generations.

With that being said, I again express my support for Senator REED's amendment to the defense budget that would block any additional unnecessary, unaudited spending for a continual war effort where we have no oversight. We were elected to basically look at the process we have.

I ask unanimous consent for an extra 2 minutes, if I could, to finish.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MANCHIN. With that being said, Mr. President, all I am saying is that we should be smart and learn from our past and the experiences we have had. It has not worked well for us right now, and we can change it. We are the only ones who can change it.

This country has a strong economy. It could be even stronger if we work together. The bottom line is we want to be smart. We want to be smart about where we invest our money and where we send our troops and put Americans in harm's way. We want to be smart in the domestic investments we make here in this country. We want to make sure they are working. If they are not working, then, you know what, do not be afraid to say: I tried and it did not work. I am going to try something different.

Basically, if you have two programs doing the same thing, consolidate. Let's start looking for ways that we can run this country the way each American is expected to run their life. Every small business or large business is expected to make prudent investments and work efficiently. That is all we have asked for. This type of spending, basically unaccountable, will lead us down the path to increase the debt and does not make us any more secure and gets us involved in places where we do not have any oversight or any input.

I do not—I do not—as a U.S. Senator wish to walk away from my responsibilities to make recommendations for what I think would be best for not only the West Virginia people, whom I represent, but for this entire country, which I love.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I voted against the Budget Control Act as a Member of the House of Representatives because I did not think it was a responsible course for our country. To me, ''sequestration'' is just a fancy term for mindless budget cuts. Unfortunately, sequestration became law and the mandated across-the-board spending cuts went into effect in March of 2013.

I have been fighting to completely eliminate sequestration through a balanced approach to Federal spending and changes to our Tax Code to reduce our budget deficit. That is why I am very disappointed that the Defense authorization bill we are considering today uses a budget gimmick to end sequestration cuts for defense spending but continues to impose mandatory cuts for critical domestic priorities, such as education, health care, and medical research.

This legislation transfers nearly $40 billion in defense spending to a glorified slush fund called the overseas contingency operations account, OCO account, as a way to avoid triggering sequestration cuts. Let's be clear. OCO really stands for ''open checkbook operation'' for our budget, and it stands for ''outrageous copout'' by the GOP.

Instead of cutting funding for defense, Republicans choose instead to cut programs for the defenseless. This is not responsible budgeting; it is a cynical game. The majority is attempting to avoid its responsibilities under sequestration that they themselves demanded be enacted into law just a few years ago. Instead, we get $40 billion in additional spending for the Pentagon and $36 billion in cuts to food stamps, Head Start, preventive health care, and critical social programs.

This is what the game is all about. Sequestration is now being dishonored. They believe they have found an exit ramp for the Defense Department for the cuts that they had accepted as a party—the Republicans—would be imposed if the Democrats would accept in equal measure cuts in social programs. That is the deal, a sword of Damocles hanging over both programs, defense and nondefense—that is civilian and domestic programs—to force us as an institution to work together in a responsible fashion. That was the deal with sequestration. That was the point of it. It was to force us to work together. Instead, the Republicans want an exit ramp for the Defense Department out of the sequestration program while allowing the social programs for the poor, for the sick, and for the elderly to stay inside of these cuts that occur under a sword of Damocles on an automatic basis.

We are endangering our ability to teach our kids the skills they will need for the jobs of the future. We are making it harder for poor families in Massachusetts and across the country to put food on the table. We are jeopardizing the health of grandma and grandpa.

And what are we really protecting when we mandate these cuts for critical social programs but not for our defense spending? We are protecting America's nuclear arsenal budget of $50 billion a year that is filled with waste and can be cut significantly without harming our national security. We spend more money on nuclear weapons than all other countries combined. This is the epitome of overkill. Can we find anything in the nuclear weapons budget that could be cut? Absolutely not, say the Republicans. We have to increase that budget. How are we going to pay for it? We are going to pay for it from poor children, from the elderly in our country.

We spend more money on nuclear weapons just because the Defense Department and the military contractors want them. That is why I have introduced legislation with JEFF MERKLEY,

BERNIE SANDERS, and AL FRANKEN called the SANE Act, the Smarter Approach to Nuclear Expenditures Act. It would cut $100 billion over the next 10 years from our bloated nuclear weapons budget.

It is time to stop funding a nuclear weapons budget that threatens to undermine our long-term economic security. We should be funding education, not annihilation. We should be helping people find jobs, not helping to build new nuclear weapons. We should be curing diseases, not creating new instruments of death.

Even within our own budget, the Department of Defense should be prioritizing higher pay for marines, not more Minutemen missiles. Somewhere, Dr. Strangelove is smiling from the grave while millions of American families struggle to meet the daily budget they have to balance.

I am a cosponsor of the Reed amendment to stop any increase in this so-called OCO account until the Budget Control Act caps for both defense and nondefense spending are lifted equally.

For those who say the cuts to defense spending endanger our security, I say we face a very real type of economic security threat here at home. Millions of seniors worry about an end to Medicare and Medicaid. Millions of students need help to pay for college. Millions of American workers cannot make ends meet on the minimum wage.

I support the Reed amendment. That will keep America truly safe, healthy, and secure.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. MARKEY. I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 1735, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Pending:

McCain amendment No. 1463, in the nature of a substitute.

McCain amendment No. 1456 (to amendment No. 1463), to require additional information supporting long-range plans for construction of naval vessels.

Reed amendment No. 1521 (to amendment No. 1463), to limit the availability of amounts authorized to be appropriated for overseas contingency operations pending relief from the spending limits under the Budget Control Act of 2011.

Cornyn amendment No. 1486 (to amendment No. 1463), to require reporting on energy security issues involving Europe and the Russian Federation, and to express the sense of Congress regarding ways the United States could help vulnerable allies and partners with energy security.

Vitter amendment No. 1473 (to amendment No. 1463), to limit the retirement of Army combat units.

Markey amendment No. 1645 (to amendment No. 1463), to express the sense of Congress that exports of crude oil to United States allies and partners should not be determined to be consistent with the national interest if those exports would increase energy prices in the United States for American consumers or businesses or increase the reliance of the United States on imported oil.

Reed (for Blumenthal) amendment No. 1564 (to amendment No. 1463), to increase civil penalties for violations of the Servicemembers Civil Relief Act.

McCain (for Paul) Modified amendment No. 1543 (to amendment No. 1463), to strengthen employee cost savings suggestions programs within the Federal Government.

Reed (for Durbin) modified amendment No. 1559 (to amendment No. 1463), to prohibit the award of Department of Defense contracts to inverted domestic corporations.

McCain (for Burr) amendment No. 1569 (to amendment No. 1463), to ensure criminal background checks of employees of the military child care system and providers of child care services and youth program services for military dependents.

The PRESIDING OFFICER. Under the previous order, the time until 3 p.m. will be equally divided between the managers and their designees.

The Senator from Arizona.

AMENDMENT NO. 1521

Mr. MCCAIN. Mr. President, as we consider the amendment by the Senator from Rhode Island, I would like to again remind my colleagues that the world is in turmoil. The world has never seen greater crises since the end of World War II, according to people as well respected as Dr. Kissinger.

I repeat my assertion that OCO was not the right or best way to do business. The worst way to do business is to have an authorization that will eliminate our ability to defend this Nation and the men and women who serve it.

I urge my colleagues to read in this weekend's New York Times ''The Global Struggle to Respond to the Worst Refugee Crisis in Generations.''

Eleven million people were uprooted by violence last year, most propelled by conflict in Syria, Iraq, Ukraine and Afghanistan. Conflict and extreme poverty have also pushed tens of thousands out of parts of sub-Saharan Africa and Southeast Asia. . . . the worst migration crisis since World War II, according to the United Nations.

That is what is going on in the world, and we are worried about how we are going to defend the Nation with priorities that are dramatically strewed and unfair.

''Islamic State attacks government office on western fringe of Baghdad.'' That was yesterday.

Three militants disguised in military uniform killed at least eight people in a local government office in Amiriyat al-Falluja in western Iraq on Tuesday, in an attack claimed by Islamic State.

''The U.S. Army's main Web site is down—and the Syrian Electronic Army is claiming credit.''

The Syrian Electronic Army hacked the official Web site for the U.S. Army, a Twitter account apparently associated with the hacktivist group claimed Monday. The site was down in the afternoon, while screenshots posted on the social network by the group purported to show messages of support for beleaguered Syrian President Bashar al-Assad on the site earlier in the day.

That was from the Washington Post, June 8 at 4:53 p.m.

The World: ''Islamic State seizes power plant near Libyan city of Sirte.''

Islamic State militants have seized a power plant west of the Libyan city of Sirte which supplies central and western parts of the country with electricity, the group and a military source said on Tuesday.

''The plant . . . was taken,'' Islamic State said in a message on social media, adding that the capture of the plant meant that the militants had driven their enemies out of the entire city.

Libya descending into chaos and ISIS extending its influence.

The Washington Post, June 6: ''Libyan gains may offer ISIS a base for new attacks.''

Misurata, Libya—As the Islamic State scores new victories in Syria and Iraq, its affiliate in Libya is also on the offensive, consolidating control of Moammar Gaddafi's former home town and staging a bomb attack on a major city, Misurata.

The Islamic State's growth could further destabilize a country already suffering from a devastating civil war. And Libya could offer the extremists a new base from which to launch attacks elsewhere in North America.

That was from the Washington Post.

FOX News, June 9: ''ISIS captures 88 Eritrean Christians in Libya, US official confirms.''

The ISIS terror group kidnapped 88 Eritrean Christians from a people-smugglers' caravan in Libya last week, a U.S. defense official confirmed Monday.

The Washington Post: ''What is at stake in Ukraine if Russia continues its onslaught.''

Ukraine is fighting a war on two fronts. The one you see on television is taking place in the east of our country, where thousands of Russian troops are engaged in an armed aggression against Ukraine's territorial integrity, including the illegal annexation of Crimea.

This is a piece that is important, by the Prime Minister of Ukraine, Arseniy Yatsenyuk.

The Wall Street Journal: ''President Obama admits his anti-ISIS strategy isn't 'complete.' ''

President Obama doesn't give many press conferences at home, so sometimes his most revealing media moments come when he's button-holed abroad. Witness his answer Monday in Austria to a question about Iraq.

Mr. Obama offered a startling explanation for why the war against Islamic State isn't going so well: His strategy still isn't up and running.

''We don't yet have a complete strategy because it requires commitments on the part of the Iraqis, as well, about how recruitment takes place, how that training takes place. And so

the details of that are not yet worked out,'' Mr. Obama said.

We still do not have a strategy to try to counter the Islamic State or ISIS.

The quote continues:

Wow. Islamic State, or ISIS, took control of Mosul a year ago, and it beheaded two Americans for all the world to see last summer. Mr. Obama announced his anti-ISIS strategy in a September speech, promising to ''degrade'' and ''destroy'' the self-styled caliphate.

Nine months later here we are: ISIS has overrun Ramadi, a gateway to Baghdad, the grand alliance that Mr. Obama promised barely exists, the Kurds in the north are fretting publicly about the lack of weapons to forestall a major ISIS assault, the U.S. bombing campaign is hesitant, and now Mr. Obama tells us the training of Iraqis is barely under way.

I will skip through some of these because I know my colleagues are waiting to speak.

The Associated Press: ''Activists: Syrian air raids kill 49 in northwestern village.''

Government airstrikes on a northwestern Syrian village Monday killed at least 49 people and left survivors screaming in anguish as they pulled bodies from the rubble, according to activists and videos of the chaotic aftermath.

The Local Coordination Committees said two air raids on the village of Janoudiyeh in Idlib province killed 60 people and wounded others. The Britain-based Syrian Observatory for Human Rights said the air raid killed 49 people, including six children. It said the death toll could rise as some people are still missing.

The Associated Press June 6 headline: ''Houthi rebels fire Scud missile from Yemen into Saudi Arabia.''

BloombergView, by Eli Lake: ''Iran Spends Billions to Prop Up Assad.''

Iran is spending billions of dollars a year to prop up the Syrian dictator Bashar al-Assad, according to the U.N.'s envoy to Syria and other outside experts. These estimates are far higher than what the Barack Obama administration, busy negotiating a nuclear deal with the Tehran government, has implied Iran spends on its policy to destabilize the Middle East.

By the way, I will add to that, Iranians are basically even taking over Cabinet positions in the Bashar al-Assad government.

This is a report dated June 5: ''Report: China Dispatching Surveillance Vessels Off Hawaii.''

China has begun dispatching surveillance vessels off the coast of Hawaii in response to the Navy's monitoring activities of disputed islands in the South China Sea. . . . The purported surveillance comes on the heels of raised tensions between China and the United States late last month. . . .

This from the June 7 edition of the Financial Times: ''US struggles for strategy to contain China's island-building.''

China's efforts to dredge new land on remote coral atolls in the South China Sea have left the US struggling to come up with a response.

For Washington, Chinese land-creation has helped make allies of former adversaries now fearful of military domination by an assertive China. The latest example was the trip to Vietnam last week by Ashton Carter, US defence secretary, who pledged US patrol craft to the Vietnamese navy.

But there is a limit to how far countries in the region are willing to present a united front to China, which has reclaimed 2,000 acres of land in the past 18 months, far outstripping all other claimants combined, according to Mr. Carter. The Obama administration is also unsure about how strongly it should push back against what US officials see as a long-term Chinese plan to control the region's waters.

Finally, this is an article that is in Politico today:

Actually, the United States does have a strategy to fight the Islamic State, a State Department spokesman says.

''The president was referring yesterday to a specific plan to improve the training and equipping of Iraqi security forces, and the Pentagon is working on that plan right now. But absolutely, we have a strategy,'' Kirby said Tuesday on MSNBC's ''Morning Joe.''

I would be overjoyed to have a complete strategy and that plan presented to Congress and the American people. It would be a wonderful event. The fact is they have no strategy or policy and the world is on fire, and here we are trying to pass an amendment which would deprive the men and women who are serving the means and wherewithal to defend this Nation.

I hope my colleagues will strongly reject the amendment that will be pending before this body.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I ask unanimous consent to add Senator MIKULSKI, Senator MERKLEY, Senator UDALL, Senator LEAHY, Senator DONNELLY, Senator BOXER, Senator MENENDEZ, Senator BOOKER, Senator FEINSTEIN, Senator CARDIN, Senator KLOBUCHAR, and Senator PETERS as cosponsors of the Reed amendment No. 1521 to H.R. 1735.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, I rise to discuss my amendment No. 1521 to fence all funding above $50.9 billion in the account for overseas contingency operations until budget caps on both defense and nondefense have been raised. My amendment specifically recognizes the need for these resources, but it objects to the way this OCO fund is being used as a way to circumvent the Budget Control Act. It does so, I think, on a very sound ground that over the long run will be beneficial to the Department of Defense and to everyone who is engaged in the defense of the United States.

We debate and vote on many issues in the Senate. While all of the issues are important, occasionally we must face an issue that could truly change the course of our Nation because the consequences of our actions are often not known for years. The votes may be very difficult when they are taken, but they are very important.

One example of such an issue is Iraq. Thirteen years ago, the majority of the body—79 Senators from both parties—voted to go to war in Iraq. I did not vote in favor of the war. In fact, I spoke against it. I think the outcome could have been very different back then if we had more of a debate about the true costs and the long-term costs, the thousands of lives lost, and the countless wounded—some with invisible scars—if we had thought the United States would be on a war footing for over a decade and American taxpayers would be on the hook for trillions of dollars and that we would perhaps even contribute by our actions to new threats we are facing today.

Back then it was implied and sometimes stated that opposing the Iraq war meant you didn't support the troops or were weak on national security. I think the intervening years have shown that to be inaccurate.

We are hearing echoes of that rhetoric again: If you don't support this version of the NDAA, then you don't support the troops or terms like ''taking this bill hostage.'' That is just not the case.

Since 2005, Senate Republicans voted against cloture on the NDAA, the National Defense Authorization Act, 10 times, and over that same period, they cast votes against final passage of the NDAA on the Senate floor 8 times. Sometimes it was because of policy differences, such as ending ''don't ask, don't tell.'' Other times it was over something like gas prices at the pump or other issues. But I don't think anyone has ever done it to be unpatriotic.

We can't change history, but we can certainly learn from it. We can't see into the future, but we know we must plan for it, and we must pay for it by making strategic investments today. This debate really boils down to this: What is the most effective way to provide for our national defense? I don't think inflating the overseas contingency operations, OCO, is the way to go because it complicates rather than helps the Pentagon's budgetary problems. It doesn't allow the military to effectively plan for the future.

We need to replace the senseless sequester with a balanced approach that keeps America safe and strong at home and abroad. When it comes to the defense budget, Congress should adhere to the same standards of honesty, transparency, and discipline that we demand for our troops. But right now there is a serious disconnect in the OCO mechanism of this bill, and Congress needs to step up and fix it.

The President's fiscal year 2016 budget request for defense was $38 billion above the 2011 Budget Control Act, the BCA—their spending caps. The President requested this $38 billion be authorized and appropriated as part of the annual base budget so they could be part of the Defense Department's funding, not just for 1 year, as OCO is, but in the budget for an indefinite period of time.

The request also contained $50.9 billion for the OCO account, meaning funding for truly war-related expenses and not enduring base budget requirements. However, this bill, following the

lead of the majority's budget resolution, does not address the BCA's damaging impacts on defense and nondefense. Instead, it turns to a gimmick.

This bill initially transferred $39 billion from the base budget request by the President to the OCO budget, leaving a base budget conveniently below the BCA levels in order to avoid triggering automatic reductions for sequestration. The funding shifted to OCO is for enduring requirements of military services, not direct war-related costs and not those costs generated in Iraq, Afghanistan, and elsewhere. It includes flying hours for aircraft, steaming days for ships and submarines, and all training that supports the ''National Military Strategy.'' These are not appropriate OCO expenses. These are the expenses of the Department of Defense facing the long-term challenges and maintaining the long-term capabilities of the U.S. defense forces.

Some have said we should avoid subjecting defense spending to the budget control caps through this OCO approach for a year while a deal to revise or eliminate the BCA caps is negotiated. I couldn't disagree more, because if we used this approach—this gimmick—for 1 year, it would be easier to do it next year and the year after and the year after that, ensuring an enduring imbalance between security and domestic spending. Using OCO in this way is completely counter to the intent of the BCA, the Budget Control Act.

The BCA imposed steep cuts to defense and nondefense spending to force a bipartisan compromise. This approach unilaterally reneges on that bipartisan approach. Rather than generating momentum for a permanent solution to sequestration, this approach essentially exempts defense spending from the BCA caps and releases all pressure to find a solution that provides similarly for domestic spending priorities.

The President's defense budget request placed the needed funding in the base where it should be and provided for the OCO funds for contingencies overseas that exist today. The budget resolution and the bill before us met the President's request for overall funding. This is not a question of whether the President asked for a certain amount of money and my Republican colleagues are asking for more. What they did is essentially say: We are not going to technically—and I emphasize ''technically''—violate the BCA account. We are just going to move more money into OCO. So we can stand up with a straight face and say: Well, BCA applies across the whole board. Every government agency is subject to the same tight limits that the Budget Control Act imposes. But, of course, the truth is that through the use of OCO those limits don't apply to the Department of Defense.

It is particularly startling when you look at the President's request for domestic agencies. He asks for $37 billion for all of the other domestic agencies above the BCA cap. Without that money they are going to have a very difficult—indeed, perhaps impossible—challenge of meeting the basic needs of the American public—needs that every colleague in this Chamber recognizes. Some might disagree with them, but they recognize that we need to support education, as we have done for decades through the Title I Program. We need to support people—our seniors, particularly—through senior housing programs. In every State, in every community, that has to be done. But if we follow this path, it will be harder and harder for nondefense agencies to do this.

What we have created is a huge loophole through the BCA for defense. Again, let me remind you, the President and my colleagues on the other side are not arguing about the resources necessary for defense. They have picked the same number. But what they have done on the other side is funded that—not straightforwardly, not recognizing that we have to deal with this—instead by using this gimmick.

If it remains in the bill, I believe this approach will be a magnet for nondefense spending in future years. Not only will we become addicted to OCO spending, many interesting things will find their way into the OCO account.

For example, in fiscal year 1992 Congress added funds to the Defense bill for breast cancer research. At the time, spending was subject to statutory caps under the Budget Enforcement Act of 1990. This is the follow-on to the Graham-Rudman-Hollings act of 1985. What we had done was to establish caps on discretionary domestic spending, but there were no similar caps on the other side. That is precisely what the effect of this proposal is today.

The initial funding led to the establishment of the Congressionally Directed Medical Research Programs or CDMRP. Every Senator is familiar with this important program. I would suspect every Senator has stood and said: Yes, that research on breast cancer is so important; that research on other diseases is so critical and so important. It has strong bipartisan support.

Each fiscal year Congress authorizes and appropriates hundreds of millions of dollars to the CDMRP for cutting-edge and critically essential medical research areas. In fact, since 1992, CDMRP funding has received over $13 billion. While this program is funded through the Defense bill, and the program is managed by the Army, the Department of Defense does not execute any of the money itself. It is a competitive grant process, and proposals are subjected to stringent peer and programmatic review criteria. DOD acts as a passthrough because, back then, the only way you could get this done was because there were no caps effectively on defense spending. I would suggest that is going to repeat itself over and over if we start on this path.

That is why we can look today and say we have these pressing crises all across the globe, and it is true. But if we go down this path, we will see these types of developments. Again, I am a strong supporter of medical research. These programs have saved countless lives. I will support the funding in this bill. I think it is a way that we have established to deal with these programs. But we should recognize that it came about not because it was the most logical place to put medical research funding, but it was a budgetary precedent, just like this approach today, and it will be replicated.

Looking forward 10 years, I would suggest that you will see lots of meritorious programs that bear less and less connectivity to our overseas operations included in OCO, if that is the way we choose to get around the BCA. And that is what this bill is doing.

There is another point I would like to add. Moving this funding from the base budget to OCO has no impact on reducing the deficit. OCO and emergency funding are outside budget caps for a reason. They are for the costs of ongoing military operations or responding to other unforeseen events such as natural disasters. To suddenly ignore the true purpose of OCO and to treat it as a budgetary gimmick or slush fund to skirt the BCA is an unacceptable use for this important tool for our warfighters.

Just to highlight how this OCO approach skews defense spending, consider the amount of OCO in relation to the number of deployed troops. You can ask someone on the street: Are these overseas funds used to support our forces overseas? There has to be some relationship between the number of our forces overseas and our OCO spending. Well, let's see. In 2008, at the height of our Nation's troop commitments in Iraq and Afghanistan, there were 187,000 troops deployed. We spent approximately $1 million in OCO funding for every servicemember deployed to those countries. Under this bill, we would expend approximately $9 million in OCO for every servicemember who served in Iraq and Afghanistan, roughly 9,930 military personnel. We are doing a lot more than spending for OCO in this bill—deliberately a lot more. We are doing what we used to do and what we should do in the base budget of the Department of Defense.

It circumvents the law, the BCA. It is not fiscally responsible, and it is not an honest accounting to the American public. If years ago, with 187,000 troops, our OCO costs were about $1 million per troop and now we are at $9 million, something is askew.

Adding the funds to OCO does not solve—and in some cases complicates—the DOD's budgetary problems.

As Army Chief of Staff General Odierno said:

OCO has limits and it has restrictions and it has very strict rules that have to be followed. And so if we're inhibited by that, it

might not help us. What might happen at the end of the year, we have a bunch of money we hand back because we are not able to spend it.

The defense budget needs to be based on a long-term military strategy, which requires the DOD to focus on at least 5 years in the future. A 1-year plus-up to OCO does not provide DOD with the certainty and stability it needs when building a 5-year budget. As General Dempsey, the Chairman of the Joint Chiefs of Staff testified, ''we need to fix the base budget . . . we won't have the certainty we need,'' if there is a year-by-year OCO fix. Defense Secretary Carter added that raising OCO does not allow the Department of Defense to plan ''efficiently or strategically.''

Adding funds to OCO is a managerially unsound approach to what should be a multiyear budget process. As the Vice Chief of Staff of the Army General Allyn said:

The current restrictions on the employment of OCO will not allow it to be a gap-filler that is currently being proffered to offset the reduction in our base budget that is driven by the current proposals that are before Congress. In order to meet the needs of our Army, it must have greater flexibility . . . it must be less restrictive and must enable us to sustain and modernize as we go forward.

This instability undermines the morale of our troops and their families, who want to know their futures are planned for more than 1 year at a time, and the confidence of the defense industry partners that we want to rely on to provide the best technologies available to our troops.

Abuse of OCO in this massive way risks undermining support for a critical mechanism used to fund the incremental increased costs of overseas conflicts. We have to have a disciplined system for estimating the cost and funding the employment of a trained and ready force.

The administration has indicated that legislation implementing the majority's budget framework will be subject to veto. As Secretary Carter has said, this approach is ''clearly a road to nowhere. I say this because President Obama has already made clear that he won't accept a budget that locks in sequestration going forward, as this approach does, and he won't accept a budget that severs the vital link between our national security and our economic security.''

When we talk about national security, true national security requires that non-DOD departments and agencies also receive relief from BCA caps. The Pentagon simply cannot meet the complex set of national security challenges without the help of other government departments and agencies, including State, Justice and Homeland Security. In the Armed Services Committee, we have heard testimony on the essential role of other government agencies in ensuring that our national defense remains strong. The Defense Department's share of the burden would surely grow if these agencies are not adequately funded as well.

There is a symbiotic relationship between the Department of Defense and other civilian departments and agencies that contribute to our national security. It has to be recognized that a truly whole-of-government approach requires more than just a strong DOD.

The BCA caps are based on a misnomer—that discretionary spending is divided into security and nonsecurity spending. But Members need to be clear: Essential national security functions are performed by government agencies and departments other than the Defense Department.

According to the Commander of the U.S. Southern Command, General Kelly:

We do not and cannot do this mission alone. Our strong partnerships with the U.S. interagency—especially with the Department of Homeland Security, the U.S. Coast Guard, the Drug Enforcement Administration, the Federal Bureau of Investigation, and the Departments of Treasury and State—are integral to our efforts to ensure the forward defense of the U.S. homeland.

Retired Marine Corps General Mattis said: ''If you don't fund the State Department fully, then I need to buy more ammunition.'' General Mattis' point is perhaps best illustrated in the administration's nine lines of effort to counter the so-called Islamic State of Iraq and the Levant, or ISIL, which 83 percent of Americans think is the No. 1 threat to the United States. Of the administration's nine lines of effort, only two—which are security and intelligence—fall squarely within the responsibilities of the Department of Defense and intelligence community. The remaining seven elements of our counter-ISIL strategy rely heavily on civilian departments and agencies.

For example, No. 1 is supporting effective governance in Iraq. No amount of military assistance to the Government of Iraq will be effective in countering the ISIL threat in Iraq if the Abadi government does not govern in a more transparent and inclusive manner that gives Sunnis hope that they will participate politically in Iraq's future. We need our diplomatic and political experts in the State Department to engage with Shia, Sunni, Kurd, and minority communities in Iraq to promote and build reconciliation in Iraq and build the political unity among the Iraqi people needed to defeat ISIL. That is not strictly a Defense Department issue.

No. 2, we have to build partner capacity. The coalition is building the capabilities and capacity of our foreign partners in the region to wage a long-term campaign against ISIL. While the efforts to build the capacity of the Iraqi security forces and some other foreign partners are funded by the Defense Department, the State Department and USAID are also responsible for billions of dollars in similar activities and across a broader spectrum of activities. Under the Republican plan, none of the State and USAID programs will be plussed-up. Their unwillingness to address this gap is a threat to our Nation's efforts to combat ISIL.

No. 3, we have to disrupt ISIL's finances. ISIL's expansion has given it access to significant and diverse sources of funding. Countering ISIL's financing will require the State Department and the Treasury Department to work with their foreign partners and the banking sector to ensure that our counter-ISIL sanctions regime is implemented and enforced. These State Department and Treasury Department efforts are deemed to be nonsecurity activities under the BCA caps and, under the Republican approach, our efforts to disrupt the finances of ISIL may be hampered. It is also notable that the Office of Foreign Assets Control and the Office of Terrorism and Financial Intelligence in the Treasury Department are also characterized as nonsecurity activities under the BCA caps.

The Republican funding strategy not only means that our counter-ISIL efforts will be hampered, so too will our efforts to impose effective sanctions against Iran, Sudan, and individuals who support their illicit activities also be affected.

We have to continually expose the true and brutal nature of ISIL. Our strategic communication plan against ISIL requires a truly whole government effort, including the State Department, Voice of America, and USAID. The Republican approach to funding our strategic communication strategy is a part-of-government plan, not a whole-of-government plan.

We have to disrupt the flow of foreign fighters. They are the lifeblood of ISIL. Yet key components of the Department of Homeland Security would be facing cuts under the Republican budget proposal, undermining efforts to disrupt the flow of foreign fighters to Syria and Iraq. Without the efforts of our diplomats prodding our foreign partners to pass laws or more effectively enforce the laws on their books, the efforts of the coalition to stem the flow of foreign fighters will never be successful.

My colleague Senator MCCAIN pointed out the huge refugee crisis. Again, our first agency typically to respond to refugees is USAID—the United States Agency for International Development—and other State Department agencies. We will not be able to effectively deal with that issue if those budget caps are imposed on USAID and other agencies. Those refugee camps are one of the breeding grounds for the foreign fighters who flow back into the conflict zone.

Unless we adopt a much broader approach, unless we do something other than simply plus-up defense, we will not achieve true national security. Of course we have to protect the homeland. While a small portion of the Department of Homeland Security is considered security related, under the BCA, the vast majority of the Department falls under the nonsecurity BCA

cap. This further demonstrates that the Republican plan is a misnomer. It is an effort to play a game of smoke and mirrors with the American public. The agents at the Department of Homeland Security who are on guard, the DEA agents who pick up intelligence about threats to the Nation—all of them vitally contribute to our national security, but they will be treated distinctly different than our military if we adopt the approach that is included in this Defense authorization bill.

I talked about the refugee crisis. Virtually none of the activities that support our humanitarian efforts in the region are considered security activities. Military commanders routinely tell us that the efforts of State, USAID, the Office of Foreign Disaster Assistance are critical to our broader security efforts. This is particularly true from a counter-ISIL campaign.

Again, those refugees who are flooding into the countries adjacent to Syria and to Iraq have to be dealt with not only on humanitarian grounds but also as potential sources of foreign fighters. That is going to require a whole-of-government approach, not simply using OCO to beef up our defense spending. Taken together, the Republican plan could compromise our broader campaign against ISIL and deprive significant elements of our government of the resources needed to do the job to protect the American people.

The men and women of our military volunteer to protect this Nation and are overseas fighting for our ideals, including good education, economic opportunity, and safe communities. Efforts to support all of those goals will be hampered unless civilian departments and agencies also receive relief from the BCA caps.

I had the privilege of commanding a paratrooper company at Fort Bragg, NC. We fought for many reasons, including to give people a chance in this country—not just to protect them from a foreign threat but to give them real opportunities here.

By the way, our servicemembers and their families rely on many of the services provided by non-DOD departments and agencies. For example, the Department of Education administers Impact Aid to local school districts, where children of servicemembers go to learn. The Department of Agriculture supports the School Lunch Program, from which troops and their children and their families benefit. The National Institutes of Health supports lifesaving medical research, including by contributing to advanced efforts on traumatic brain injury, post-traumatic stress, and suicide prevention. The Department of Health and Human Services runs Medicare, which provides health care for retirees and disabled individuals, and Medicaid, which provides services to parents, including military parents with children with special needs.

Failing to provide BCA cap relief to non-DOD departments and agencies would also shortchange veterans who receive employment services, transition assistance, and housing and homelessness support.

Not only does this approach fail to support, potentially, our servicemen through schooling and through other aspects, our national security is also inherently tied to our economic security. Secretary Carter made this very clear. He said the approach that is being proposed disregards ''the enduring, long-term connection between our nation's security and many other factors. Factors like scientific R&D to keep our technological edge, education of a future all-volunteer military force, and the general economic strength of our country.''

Where will we get the soldiers of the future who have the skills and the training and the expertise if we are underinvesting in the basic education for all of our citizens?

My amendment would keep the pressure on for a permanent solution to the BCA caps and sequestration by requiring that the BCA caps be eliminated or increased in proportionally equal amounts for both security and nonsecurity spending before the additional OCO funds are available for obligation or expenditure.

Let me again emphasize that we are not taking away these funds. We simply say what I think makes a great deal of sense: Until we develop an approach to BCA that allows us to provide for a comprehensive defense of the Nation and to invest in the economic health of the Nation, then these funds will be reserved. Once we do that, then automatically all of the funding that is included in this bill will become available to the Department of Defense.

We have heard colleagues on both sides of the aisle talk for years now about the need to resolve the BCA, to end sequestration. Every uniformed servicemember who came forward, every chief of service said their No. 1 priority was to end sequestration, end the BCA. This bill does not do it; it sidesteps the issue. We can no longer sidestep the issue. We have to engage on this issue. I think we have to move promptly and thoroughly and thoughtfully forward to resolve the BCA.

The legislation I have proposed recognizes the need for these resources but also recognizes the overarching issue: Unless we are able to effectively modify or eliminate the BCA, our comprehensive national security will be threatened, our economic progress will be threatened, and our aspirations for the country could be thwarted.

My amendment seeks to implement, by the way, a sense-of-the Senate that is already in the bill, and it clearly states that sequestration relief should include equal defense and nondefense relief. We have made—and I commend the chairman for this—a statement—without an effective means of implementation. It is a statement, an aspirational goal, that we should fix BCA and relieve defense and nondefense spending. I think that is an important statement, but my amendment makes sure we go further and provide an action to do this.

I believe very strongly in this amendment. I believe it is relevant to the consideration of this bill. I believe it goes to the heart of the most important questions we face in the country today: How do we provide for the comprehensive defense of the Nation? How do we invest in our people so that we will continue to be strong? I think if we do not provide this type of mechanism to start this discussion on the BCA and hopefully promptly complete it, then we will be missing not only a historic opportunity, we will be locking ourselves into a road that will leave us less secure in the future, less productive, and less strong as a nation.

Let me remind people that the stated purpose of the bill is ''to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense.'' We have to begin this appropriations process by recognizing that the BCA will not help us going forward, and we must move to modify or repeal it.

With that, I will close simply by saying again that if we continue these caps going forward, it will harm our military readiness. Our national defense should be based upon long-term needs. They should be reflected in a transparent, forthright budget that puts the money in the base, provides contingency funds for true contingencies overseas but does not turn things upside down and make our contingency funding really the heart of the bill in so many respects.

We have to work together. We have to make sure every Federal agency can benefit because every Federal agency contributes to the country. So I strongly urge my colleagues to vote for this amendment, to begin this dialogue, and to move forward, the sooner the better.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Mr. President, how does the budget fund defense? That is what we are talking about. The balanced budget resolution recently approved by Congress recognizes the responsibility that the Federal Government has to defend the Nation while recognizing the threats our overspending and growing debt pose to our national security. That is why the balanced budget approved by Congress last month makes national defense a priority and provides for the maximum allowable defense funding under current law.

Let me say that again. The budget provides for the maximum allowable defense funding under current law. That current law is a law which was signed by this President and provides vital support for our military personnel and their families, the readiness of our Armed Forces, and the modernization of critical platforms.

Does anybody deny that this is a critical time? With the increasing number

of threats around the world, our total defense spending level should reflect our commitment to keeping America safe and ensuring that our military personnel are prepared to tackle all challenges. While we have troops in harm's way, we need to do all we can to protect them. Given the global threat environment, the funding approach taken by the Senator from Arizona and the Armed Services Committee, which was bipartisan, ensures that the men and women of our Armed Forces have the resources they need to confront an increasingly complex and dangerous security environment.

Is sequestration a threat to our military? If appropriated at the levels provided by the NDAA, the National Defense Authorization Act, the defense budget would not face indiscriminate, across-the-board cuts known as sequestration, while it provides for the needs we are reviewing right now. People have a chance to amend the needs right now. If they think there is something in there that is not needed, they can amend it—they can try to amend it. There should be justification for what they want.

This bill puts us on a path to spend $612 billion on defense this year. This is the same overall amount that was requested by the President earlier this year. Numerous officials at the Pentagon have made it clear that they see this funding level as the bare minimum budget needed to execute our defense strategy. So why are some Senators concerned about the level of budgetary resources this bill provides to the Department of Defense? They simply do not like the use of the overseas contingency operations funding, the OCO.

It is important to note that those not familiar with the Budget Control Act—that is not the budget; that is the Budget Control Act. It was passed with bipartisan support and signed into law by President Obama back in August of 2011. It established a discretionary spending cap, but it also allowed for certain cap adjustments. The BCA caps can be adjusted for emergencies, disasters, program integrity initiatives, and OCO.

Yes. That is in the Budget Control Act, the Budget Control Act passed August 2011 and signed by President Obama. Those are the four ways you can adjust the budget caps without forcing sequestration. Now, in the case of OCO—overseas contingency operations—funding, both Congress and the President have to agree that the funding should be designated in that manner. Therefore, the OCO funding in this bill will only occur if Congress appropriates it and the President agrees to it in the future. I would hope that when the President and his advisers said this is the overall level of funding they needed for defense, they meant it. But only time and the appropriations process will tell.

Did the budget account for OCO spending? While there is no requirement to offset OCO spending, when we addressed the issue in our budget resolution, we accounted for every single dollar of OCO we assumed would be spent. Even with these OCO levels, the budget resolution still met its overall goal of balancing within 10 years. Let me repeat that. We accounted for every single dollar of OCO that we assumed would be spent. Even with these OCO levels, the budget resolution still met its overall goal of balancing within 10 years.

It is good to see my colleague so concerned about the deficit, and I look forward to working with him to fully implement our balanced budget. This will ensure that we can get our Nation's fiscal house in order while providing resources needed for our national defense.

Unfortunately, the concern expressed over providing OCO funding doesn't seem to be centered on the fiscal concerns because even most critics support the need for more defense money. No, their concerns are based on the demand to increase nondefense discretionary spending on a dollar-for-dollar basis with defense spending. But the only way to do this in the short term is by raising taxes on hard-working American families. Defense is making its case and has made its case. Nondefense has not.

Do we really need to increase the caps? If we want to increase nondefense spending, Congress should take a closer look at what we are actually funding. Last year, we provided nearly $293.5 billion for more than 260 authorizations that have expired. Yes, we have 260 authorizations. That is where Congress says this is what we ought to be spending our money on.

They expired, and we are still spending money on them—$293.5 billion a year. Usually, we talk about over 10 years here. That would practically balance the budget by itself over a 10-year period. Those are programs we need to take a look at. Those are programs that have expired. Some of those programs expired as long ago as 1983, but we are still spending money on them every year. That means we have been paying for some of these expired programs for more than 30 years, and it is not just the length of time these programs have overstayed their welcome, the funds we allocated to them every year are more than what the law called for in those authorizations when passed. In some cases, that means we are spending as much as four times what the bill allowed.

Savings usually are found in the spending details, but Congress hasn't examined the details in some time, except on defense. We do the Defense authorization every year. These others, well, I mentioned one of them expired in 1983, some in 1987. I mentioned it is 260 authorizations. It affects 1,200 programs. Do you think in 1,200 programs for $293 billion a year we couldn't find $38 billion to match what we are doing in defense? We ought to be ashamed if we can't.

It is time for Congress to take a look at these programs and decide if they are even worth funding anymore. After all, a project not worth doing well should not be worth doing at that time all. But how would committees know if they haven't looked at these programs in years? How would they know if they don't have a way to measure how well the programs are working?

Were defense and nondefense spending treated equally under the BCA under the budget caps? The insistence that any change to the discretionary changes be based on dollar limits for both categories of spending fails to take into account the different treatment each took under the budget caps, the BCA.

Defense spending, which makes up less than one-fifth of all government spending, received less than half of the reductions in the BCA. Defense spending also faced more budgetary pressure than nondefense spending because it is largely discretionary. Nondefense spending was able to distribute its BCA reductions over a larger amount of accounts and over a larger portion of mandatory programs. That provides a fudge factor.

The continued insistence on tying both defense and nondefense spending together has left only the approach taken by this bill to fund the defense at the President's level.

We know from the administration that the President's advisers are recommending he veto this bill. We also know some of my colleagues are considering blocking appropriations bills this year to force a government shutdown.

Every bill should stand on its own for justification. No one is arguing the need for national defense. What they are actually arguing is the need for the nondefense increases. This is an attempt to leverage defense programming to get nondefense, which I mentioned the 260 programs, $293.5 billion a year that has expired—so they want this OCO to be replaced with a deal.

What we are supposed to do in Congress is legislate, not deal make. But that is what is being proposed. Let's make a deal. Now, if they step back and look at the facts laid out today, hopefully, they can move away from this brinkmanship and realize the path they are on only leads to more uncertainty for the men and women in our Armed Forces. Strengthening our national defense and providing for the brave men and women of our military should be something both sides agree on.

So what is the future of the BCA caps? It is time both parties get serious about addressing our Nation's chronic overspending. We know some on both sides want the caps from the Budget Control Act changed—but at what price for our Nation and the hard-working taxpayers? Without any changes to the BCA structure, just raising these budget caps without increasing the debt in the short-term

would require increasing taxes. That is why we asked for the extra year to be able to work on this whole thing.

If Congress is serious about addressing the challenges of the Budget Control Act, it has to first start by tackling its addiction to overspending and once again become good fiscal stewards of the taxes paid by each and every hard-working American.

Of course, if the administration would stop overregulating, the economy would grow, and in a short time we would have more revenue without raising taxes. Yes, that is what both the Congressional Budget Office and the Office of Management and Budget—one works for Congress and one works for the President—said; that if we could just raise the economy by 1 percent a year, CBO says that would provide $300 billion. The President's office says that would provide $400 billion in taxes.

We are receiving more tax revenue right now than we have in the history of the United States, but we spend more than that. Of the amounts that we get to make a decision on, we are spending almost 50 percent more than what we take in. We can't continue to do that. We can't continue to afford the interest on the debt if we keep doing that.

Americans are working harder than everyone to make ends meet. Shouldn't their elected officials be doing the same thing? By tackling these issues honestly and directly, we can help ensure that our Nation is safe and secure by investing in America's Armed Forces while also maintaining fiscal discipline.

On a related note, the Senate Budget Committee has produced an indepth analysis of defense spending and the OCO funding provision as part of our June budget bulletin, which was published today. People interested in learning more can do so by going to our Web site: budget.senate.gov or contact on twitter@budgetbulletin.

I close with some words from today's paper from the Casper Star-Tribune editorial:

Many of the servicemen and servicewomen returning from faraway battlefields—Vietnam or any other place of conflict—have seen horrible, unspeakable things. They've been courageous in the face of death and destruction. Some gave up a relatively easy, safe life to travel far from home and fight for what we as a nation believe the world should be, or could be, someday. That kind of commitment doesn't come without pain or sacrifice—immense pain and sacrifice, in some cases.

None of that has anything to do with politics. Politics is the arena of our elected leaders, not our troops, and it's both necessary and patriotic for us as voters to evaluate those leaders' decisions and actions and speak out against the ones we disagree with. That's democracy and dissent.

But our troops are our representatives on the ground. We must not use our vaunted system of democracy as a tool to inflict pain on this brave group of people. They're not obligated to support our leaders' political ideologies any more than the rest of us, but uniquely, they have made it their responsibility to represent our treasured way of life at home and abroad in pursuit of a better, more peaceful world. And after they do that, they deserve the thanks of a grateful nation.

That's how it should have been in the 1970s. That's how it is now. We must make it our responsibility to ensure that this is how it will always be.

We have a crucial decision to make on funding our national defense. I don't think it should be held hostage to other budget concerns. Each of those should stand on their own. Each of those should review all of the things under their jurisdiction. I ask for you to defeat the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. First, I thank my friend from Wyoming for his remarks. I don't always agree with him, but he is sincere, thoughtful, and puts every effort into coming up with a decision he believes is right, so we appreciate that very much.

I also thank my colleague from Rhode Island, our ranking member on Armed Services, who has laid out in very careful terms why the amendment, the Reed amendment, is so important. I thank him. He has also, like my friend from Wyoming, been assiduous, diligent, and careful in his work on the Armed Services Committee, and I thank him for offering this amendment.

We have come to the floor with a very simple message for our Republican colleagues, and it is articulated in this amendment. If you want to make America strong by replacing the harsh and arbitrary automatic cuts in this budget as we do, then you have to do it in a way that makes sure we will have a strong military abroad and the things we need to be strong and secure at home as well.

That means equally replacing cuts to both defense and domestic budgets—$1 for defense, $1 for the middle class—in the hopes that they can raise their income levels, and it can be easier for others who are not yet in the middle class to reach. That is what the amendment would require.

The truth is, the way the Republicans have put this bill together signals a poor approach to both major areas of our budget. It locks in the sequester cuts for our men and women in uniform, instead using the OCO, essentially a wartime account, as a one-time gimmick to make up for shortfalls. That is a bad idea.

Using the OCO account to pay for our troops, maintain and operate our military or purchase weapons that will keep us safe is a terrible mistake. Why is that? It is 1-year funding. You have to do a plan for 3 years. You have to build a submarine that takes 4 or 5 years.

I talk to defense contractors. I talk to military leaders. They can't do it 1 year at a time. It doesn't make sense. Our military families need stability and support. They need to know that programs that benefit them—suicide prevention, sexual assault—will be fully funded when other defense priorities come back into the base budget for future years. Under OCO, these things could get squeezed out. Our military brass needs to know that the weapons systems they are relying on 4 years from now—but being paid out of OCO this year—can be funded and finished. So our military doesn't deserve budget gimmicks, they deserve real support.

What my friends on the other side of the aisle have done with this OCO increase is a budgetary sleight of hand—a half-hearted attempt to fund the Defense Department while leaving key, middle-class programs behind. Our Defense Department gets budget workarounds and exceptions, while hard-working families must continue to feel the harsh cuts imposed by sequestration. That is a double standard because we need both for a strong America. We need a strong military, and we need a strong middle class. To choose one over the other—and do it by budgetary sleight of hand—is nothing anyone can be proud of, in my opinion.

So regardless of what happens with NDAA this month, one thing should be absolutely clear to my Republican friends—and I see our ranking member of Appropriations who has led this fight on the floor. Democrats will not vote to put a defense appropriations bill on the floor that uses accounting trickery or budgetary gimmicks to fund our troops. We will not vote to proceed to the Defense appropriations bill or any appropriations bill until our colleagues from the other side of the aisle have sat down at the table and figured out with us how we are going to properly fund the Defense Department and the key priorities that help families, fuel economic growth—in short, keeping us safe and strong both at home and abroad.

We simply cannot and will not move forward with one acceptable bill at a time on the appropriations side until we are able to sit down and reach an agreement that replaces cuts equally for our military and our domestic needs.

This amendment requires that balance. That is why I salute the Senator from Rhode Island, my dear friend, the ranking member of the Committee on Armed Services for putting it together. It says that the extra money in OCO cannot be used unless we give equal or greater relief to domestic programs that help the middle class.

If my friends on the other side of the aisle are serious about escaping the senseless, obtuse budget cuts imposed by the sequester and their use of OCO, admittedly a gimmick—they are admitting that is the case, that we have to do more and go above sequestration for military and average families—they will wholeheartedly support the Jack Reed amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, today I rise in support of the amendment offered by the Senator from Rhode Island, Mr. REED. Characteristic of him, it is a thoughtful solution to a very serious problem related to the funding of our national security needs.

I would like to support and salute Senator REED for his outstanding job. Many don't realize that Senator JACK REED is a graduate of West Point. He served in the U.S. military, bringing that breadth of his considerable background to additional public service, both in the House and now in the Senate. He is the ranking member on the defense authorization committee and also serves in great capacity on the Defense Appropriations Subcommittee.

Now, let us talk about the Reed amendment and the funding for the Department of Defense. I want to be very clear. I do want to support funding for the national security of the United States of America. We take an oath to defend the Constitution against all enemies foreign and domestic, and we must uphold that oath not only with lip service but with real money in the real Federal checkbook. We need to do it in a way that doesn't use gimmicks or smoke and mirrors to end sequester or to finesse or do a shell deal behind the budget caps.

Remember, we passed a bill that does have significant budget caps. But the way to deal with that problem is not to cap the Department of Defense but to be honest about what it takes to fund national security. The Reed amendment does that. It makes clear that the Department of Defense should receive $38 billion, but in its base budget to take care of the troops, to protect the troops while they protect us, to make sure they have the right gear, the right equipment, the right technology, and also the right intelligence to be able to do their job. The Reed amendment also looks out for military families. It does what we need to do.

Only when there is a new budget agreement that increases the defense budget as well as the budget for domestic programs will we be able to solve the problem that is facing us.

Now, what our generals have told us is we cannot meet our defense needs with the current budget caps. They also say: Senator—this is General Dempsey, and this is General Odierno, who spoke so well at the funeral of the Vice President's son on Saturday; these men have devoted their lives to the defense of our country and to have the best military in the world—don't give us sequester. Instead of figuring out how to fight terrorism, we have to figure out how to fight the stupidity of Congress.

Now, they do not use those words; I am using those words. When we instituted sequester, it was a technique to force us to make the tough decisions. We keep hiding behind the technique. We need to change that. The bill we have now raises funding for something called the overseas contingency fund by $38 billion, but it uses it to fund activities that should be in the base bill rather than the war cost it was intended for. Essentially, it is a budget gimmick.

What is the overseas contingency fund? It was meant to be a line item where we could actually see what war costs us. In Afghanistan and Iraq it was kind of commingled through a lot of the other items related to defense, but we didn't know the actual cost of the war. OCO is meant for war. It is not meant to be a way to avoid the budget caps. Instead of just raising the caps and funding DOD at the needed level, this bill uses this gimmick, so nothing about it is really in the national interest.

Our military leaders tell us: No. 1, get rid of sequester. No. 2, you must increase the base bill.

Defense budgeting cannot be done on a year-to-year basis. It must be multiyear because it is for the planning of procurement for them to have the best weapons systems. It is recruitment and training and sustaining of the military and their personnel needs.

Defense Secretary Ash Carter said: ''Our defense industry partners, too, need stability and longer-term plans, not end-of-year crises.'' GEN Dan Allyn, Army Vice Chief of Staff, said: ''OCO does not give you the predictable funding to be able to plan the force we are going to need.''

I want to make another point. The defense of the United States doesn't lie only with DOD. That is our warfighting machine. But we have other programs that are related to national security that come out of domestic discretionary spending that are shortchanged and are shrinking and, quite frankly, I am concerned about it.

What am I talking about? In order to have national security, you need to have a State Department. You need to have a State Department to do the kind of work that involves diplomacy. That involves working with nations around the world and the needs of these nations and also to engage in important negotiations such as we have now ongoing on the Iran nuclear. That is not done by generals. That is done by diplomats. You need to have a Department of State. Look at what happened in Benghazi, where there is so much focus on this. While they are focusing—and we should focus—on Benghazi, we appropriators are focusing on embassy security. Embassy security is funded through the Department of State and funded by discretionary spending. If you want to protect Americans overseas, you have to have embassy security. You have to have a Department of State.

Then we have the Department of Homeland Security. Look at all the cyber attacks on us right at this minute. We need to have a cyber component to defense, but we need to have the cyber defense strategy at the Department of Homeland Security. Even our military is being hacked. Insurance programs are being hacked. People in the United States are having important information about their health records, their Social Security numbers, and so on being stolen. We need to have a robust Department of Homeland Security. They have a program called Einstein that is supposed to do it, but we don't have to be Einsteins to know that in order to protect America we also have to protect the Department of Homeland Security.

Then of course there are the promises made and promises kept. There is the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies. We must fund our promises made to our veterans. That is out of discretionary spending. That is not out of defense. But the infrastructure for our military, our military bases here in our own country, come out of military construction.

I don't want to sound as if I am defending government programs. That is not what I am here to do. I am here to defend the Nation and defend it the right way. We need to be able to put money in the Federal checkbook that funds our Department of Defense without gimmicks, without sleight of hand, without finessing or playing dodge ball. We have to play hard ball with the terrorists and others who have predatory intent against the United States.

We have to be Team U.S.A. not only on the sports field but on this playing field right here on the floor of Congress. Let us work together. Let us get a new budget agreement. Let us solve the problems. Let us end sequester. Let us work together to be able to do it. I believe a big step forward would be supporting the amendment offered by the Senator from Rhode Island, Mr. REED. I ask, in the interest of national security, that we vote for the Reed amendment and that we go to the budget. Let's go to the negotiating table and come up with a real framework to fund the compelling needs of our Nation, and let's do it, Team U.S.A.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:41 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016—Continued

The PRESIDING OFFICER. The majority whip.

AMENDMENT NO. 1486

Mr. CORNYN. Mr. President, this Chamber is currently having a very important debate about our national security priorities, including the authorized funding levels for our Nation's Armed Forces. But I would like to

speak just briefly about an element of our national security that is often overlooked, and that has to do with the interconnection between our energy resources here in America and global security.

I will start by quoting the Chairman of the Joint Chiefs of Staff, GEN Martin Dempsey, who said: ''I think we've got to pay more and particular attention to energy as an instrument of national power.''

Well, I could not agree, in this instance, with General Dempsey more. So I want to again address a way in which I believe the United States can utilize our vast domestic energy resources to not only enhance our economy but also help enhance our national security and help us meet our strategic objectives around the world and specifically by helping many of our NATO allies in Europe in this process.

As I mentioned on the floor last week, many of these countries rely heavily on energy resources from Russia, creating strategic vulnerability for them as well as for the United States, their treaty ally. This is not a hypothetical matter because we know Vladimir Putin has literally turned the spigot off to countries like Ukraine and threatens to do so to Europe if they happen to disagree with Russian policy, particularly with regard to its expropriation of Crimea and Ukraine.

But the United States can use its energy resources to reassure our allies and partners and to lessen, reduce, at the same time, their dependence on bad actors like Russia and Iran. So it is as simple as helping our friends and checking the abuse of power by our adversaries.

Now, while allowing energy exports to some of our allies when their security is threatened probably sounds like a commonsense notion to a lot of people, there are some skeptics. One of our colleagues, the junior Senator from Massachusetts, has suggested that approving crude oil exports to anybody—including on a limited basis to our allies who are being coerced and under duress from Vladimir Putin—that somehow that would result in a tax on consumers at the pump. In other words, he is arguing that exporting our natural resources around the world would actually cause gasoline prices to go up.

Well, I am here to say that is a faulty assumption and it is simply not grounded in fact. It is at odds with the research and leading opinions of multiple experts, think tank organizations, and officials. And you know what. It is even at odds with the Obama administration's leading expert in this field. Here is what Secretary Moniz said on February 12, 2015, about the effect of crude oil exports on U.S. gas prices. He said there would be no effect on gas prices. He said: ''And their [EIA's] conclusion was, probably none to possibly minor decreases in domestic prices.''

So if you think about it, actually more American supply increases the world's supply of oil. Indeed, gasoline is already sold around the world at a global price. So more supply of oil, which is the chief component of gasoline, would actually increase the supply. Even according to a recovering lawyer who is not an economist, on a supply-and-demand basis, with static demand increasing, the supply is actually going to bring down the price.

The Energy Secretary is not the only one who believes there will either be no change or actually a downward price to consumers on gasoline.

After reviewing several studies on this issue, the Government Accountability Office noted that ''consumer fuel prices, such as gasoline, diesel, and jet fuel, could decrease as a result of removing crude oil export restrictions.'' So this is the Government Accountability Office that said that, actually confirming, essentially, what Secretary Moniz said; that we would actually see gasoline prices go down at the pump were we to lift this domestic sanction we have imposed upon ourselves when it comes to exporting crude.

Another think tank, the Aspen Institute, said it would have ''significant positive and durable effects on [our gross domestic product], aggregate employment and income.''

The Aspen Institute, just as another example, thinks it would be good for income, it would be good for jobs, it would be good for our economy.

So it seems the only people who do not think lifting the ban would be good are limited to the Halls of Congress or perhaps some of the lobbyists who raise money scaring people when it comes to the use of our fossil fuels, particularly oil and gas.

While I think it is important to come and rebut this faulty argument, the amendment that is pending to the underlying bill is actually much more narrowly targeted. It simply ensures that we will have a reliable sense of the energy vulnerabilities of our European partners. In fact, we are a member of the North Atlantic Treaty Organization, and under article 5, were they to be attacked, all members of the treaty would be required to come to their assistance. So why in the world would we not want to reduce their vulnerability to economic hostage-taking?

We also want to get a better understanding of Russia's ability to use this dependency against our allies in NATO and Europe in general. So my amendment would allow us to see the big picture when it comes to just how dependent our allies in the region are on nations that wield their energy supply as a weapon.

Now, I just want to make clear my amendment would actually not change any of the current law. It would not change any of the current law. It simply restates the current authority that the President has in his discretion to allow crude oil and natural gas exports, if determined to be consistent with the national interest.

I would say, even though Russia and Europe and NATO are the primary focus, this is not just limited to NATO. It could include important allies of ours in the Middle East, like Israel, as well. My amendment reiterates this existing authority, and it encourages the President to use it to help reduce the vulnerabilities of our allies in Europe and around the world when it is determined to be in our national interest. It does not add to that authority, and it does not constrain it either.

Well, the President just returned from the so-called G7 summit—representing the leading seven economies of the free world—and here is what the G7 said about this topic. The G7 leaders said that ''we reaffirm our support for Ukraine and other vulnerable countries . . . and reiterate that energy should not be used as a means of political coercion or as a threat to security.''

So if that is the position of the G7, if the Obama administration takes the position that lifting the ban on exports of oil will not do anything to raise the price of gasoline at the pump and could well reduce it, then I think the Senate would be well advised to support the amendment I have offered which, again, just restates the current authority, does not expand it, and then asks the Defense Department and the intelligence community to do an assessment of how we can better understand the role our energy assets play as an element of our soft power and national security.

Our allies are pretty clear-eyed about all this. They recognize that shrinking their dependence will not be complete or easy. But one goal this amendment seeks to recognize is that we have allies that are asking for help that will put them on a path toward less reliance and will put Russia on notice that they will not be able to hold these countries hostage to energy.

This is about options, alternatives, and a stable supply on the world market that are all helped by increased U.S. production and this renaissance in natural gas and oil that has been brought about thanks to the great innovation and technology improvements in the private sector, created here in the United States but benefiting the entire world.

The G7 leaders noted that the diversification of the world's energy supply is ''a core element of energy security,'' including a diversity of ''energy mix[es], energy fuels, sources, and routes.''

So my amendment is based on the idea that we may supplement the global market, and that ultimately brings about increased diversity in fuel supply, which benefits everyone.

My amendment is not about limiting the President's authority under current law. I did not intend to do that. This amendment does not do it. It is about taking a modest first step toward addressing the requests, the pleas, in some cases, of our allies and our partners in an increasingly unpredictable world.

So I would encourage our colleagues to support this amendment and, in doing so, take the long-term view of our national security interests as well as the peace and stability of our most trusted allies and partners.

I suggest the absence of a quorum.

Mr. President, if I may withhold that request.

I ask unanimous consent that the time in the quorum call be equally divided.

The PRESIDING OFFICER. Is there objection?

Mr. REED. Will the Senator repeat his request?

Mr. CORNYN. I will be glad to restate it. I am asking unanimous consent that the time in the quorum call be equally divided between the sides.

Mr. REED. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CORNYN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is currently considering H.R. 1735.

Approximately 22 minutes remain on the majority side.

Mr. MCCAIN. Twenty-two minutes on the majority side.

The PRESIDING OFFICER. Yes, and 11 minutes on the minority side.

Mr. MCCAIN. I ask unanimous consent that such time as the Senator from Rhode Island may need to conclude the debate be in order and I have 10 minutes in order before the vote.

The PRESIDING OFFICER. Is there objection?

Mr. REED. Mr. President, we have Senator STABENOW and Senator DURBIN coming, and I believe we have heard that Senator GRASSLEY is also coming, and with the Senator's 10 minutes, I think that will fill up the time until the vote at 3 o'clock.

Mr. MCCAIN. We have Senator SESSIONS as well.

Well, let me suggest the absence of a quorum first, and then we will work it out.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 1521

Ms. STABENOW. Mr. President, I am here on the floor to speak to the amendment we will be voting on as it relates to Senator REED's amendment.

I first thank both of the leaders of this committee for important work that is being done. But the amendment in front of us is absolutely critical for the safety and security of the American people and certainly for our troops. We all agree—we need to agree—that our troops deserve more than budget gimmicks. What we have in here are too many budget gimmicks that do not reflect the commitment we need to have to our troops and their families.

Further, it does not allow us to fully fund the security needs of the country. We are going to be having a very important debate after this legislation on what to do around appropriations, and it is critical that Senator REED's amendment be passed so we have the opportunity to fully fund the full range of security needs of our country—not only in the Department of Defense, which we all know is very important, but our border security, cyber security, counterterrorism, police and firefighter efforts—those on the frontlines. Whom do we think is called when we dial 911, when there is an emergency of any kind. It is police officers and firefighters that, unfortunately, without the Reed amendment, will not receive the kind of support and funding needed to keep our communities safe.

We need to stop weapons of mass destruction, focus on airport security. We are on and off airplanes every single week, as are millions of Americans. We know how critical it is that we be funding our airport security. We know there are outbreaks, like Ebola and other infectious diseases and attacks that may come from that, that are not in the bill in front of us but are critical to the funding of the national security interests of our families, our communities, and our country.

Senator REED has put forward an amendment that would guarantee we would not only think of security in the context of the Department of Defense but that we would understand it is throughout the Federal Government—all of the various services and folks coming together from border security, cyber security, counterterrorism, local police and firefighters on the frontline, the ability to stop weapons of mass destruction, airport security, Ebola protection with the Centers for Disease Control and Protection, and so much more. The people of the country understand it is not just about the Department of Defense.

Certainly, we need to make sure that even within the Department of Defense budget, we are doing more than budget gimmicks. Certainly, our troops deserve that. But without the amendment that Senator REED has so thoughtfully put forward and designed, we will be undercutting critical parts of national security for our people.

So I strongly urge that we come together on a bipartisan basis. We talk a lot about border security. We hear a lot about that here. We certainly understand what is happening in cyber security and the needs of our country. We could go through all of the other parts of the Federal budget that impact security and realize that if we aren't willing to look at security for our families and communities and our country as a whole, as Senator REED does, we will be undercutting the safety and security we all want for our families and communities.

So I strongly support and urge colleagues to come together and vote for the Reed amendment.

Mr. REED. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the following Senators be permitted to speak before the vote: Senator DURBIN for 8 minutes, Senator SESSIONS for 8 minutes, Senator MCCAIN for 7 minutes, and Senator REED for 7 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Illinois.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. DURBIN. Mr. President, we have an industry in America called for-profit colleges and universities. It is a unique part of America's private sector—and I use the phrase ''private sector'' with some caution. These are profitable entities which portray themselves as colleges and universities. We know their names: the University of Phoenix, DeVry University, Kaplan University, and—until very recently—Corinthian, one of the largest for-profit schools. What do they do? They entice young people to sign up at their for-profit colleges and universities and promise them they are going to give them training or education to find a job.

Now, it turns out that as alluring as that is, it doesn't tell the whole story. The real story about the for-profit college industry can be told with three numbers:

Ten. Ten percent of all high school graduates go to these for-profit colleges and universities.

Twenty. Twenty percent of all the Federal aid to education goes to these for-profit colleges and universities. About $35 billion a year flows into these schools. If it were a separate Federal agency, it would be the ninth largest Federal agency in Washington, DC—$35 billion.

But the key number we should remember is 44. Forty-four percent of all

the student loan defaults in America are students at for-profit colleges and universities.

How can that be—10 percent of the students and 44 percent of the loan defaults.

First, they overcharge their students; secondly, when the students get deeply in debt, many of them drop out; and, third, those who end up graduating find out many times the diploma is worthless. That is what has happened.

Back in December of 2013, I wrote to the Department of Education asking them to investigate Corinthian Colleges. There was an article in the Huffington Post that drew my attention to it, as well as the actions by the California attorney general, Kamala Harris. It turned out that Corinthian was lying. It was lying to the students about whether they would ever end up getting a job, and it was lying to the Federal Government about their performance and how well they were doing. They were caught in their lie. As a consequence, the Department of Education started threatening Corinthian Colleges for defrauding taxpayers and the government in their official reports. Things went from bad to worse. Corinthian Colleges declared bankruptcy.

What happens when one of these for-profit colleges and universities declares bankruptcy? Well, the students many times are left high and dry. They have nothing, no school to go to. Oh, wait a minute. They don't have ''nothing.'' They have something. They have debt—a debt that they carry away from these failed schools.

Well, we have a provision in the law which says if your school goes bankrupt, you might be able to walk away from your student debt.

The Department of Education made an announcement yesterday, which I support, that says that they are going to work with these students who have been defrauded by Corinthian Colleges and misled into believing this college was worth their time and money. Some of these students will get a chance to be relieved from their college debt.

It is a good thing because student loan debt is not like a lot of other debts. It is not like the money you borrowed for a car. It is not like the money you borrowed for a home. Student loan debts are not discharged in bankruptcy. You have them for a lifetime. If you make a bad decision when you are 19 years old and sign up for $18,000 a year at Corinthian Colleges or at ITT Tech, you have it until you pay it off. We find that many of these schools garnish Social Security checks. They will stay with you for a lifetime. So now the Department of Education is working on this, trying to do the right thing by these Corinthian students.

I have been in touch with Arne Duncan, Secretary of Education, whom I respect. I told him this is, unfortunately, an early indication of an industry that is on hard times. The stock prices of these for-profit schools are in deep trouble across the board. People are finally realizing there is too much fraudulent activity going on at these institutions.

Who are the losers? It is not just the students with debts from these worthless schools but taxpayers. We are the ones who send these billions of dollars to these so-called private companies that have their CEOs take home millions of dollars while the kids are getting little or no education. They are the losers.

What should we do about it? I think we ought to be a lot tougher when it comes to the for-profit colleges and universities—holding them accountable for what they are doing to these young people and their families, holding them accountable for what they have done to taxpayers.

Do you know how much money we sent to Corinthian after it became clear they were lying to us? It was $1 billion dollars—$1 billion dollars, Mr. and Mrs. Taxpayer. There are schools like that, unfortunately, across this country.

The last point I will make on this is that, speaking to the Secretary of Education and others, the real losers many times are also veterans—veterans. The GI bill was offered to veterans after they served our country for a chance to get an education, training, and to make a life. They used it, sadly, at worthless for-profit colleges and universities, and they have used up a once-in-a-lifetime chance to build a future. They are left high and dry, not with a student-loan debt but with an empty promise that this education is going to lead to something.

I am going to continue to work with my colleagues, including Senator BLUMENTHAL of Connecticut, to change that and to protect our veterans. But I am also going to continue to work on these for-profit colleges and universities. America can do better. These schools with 10 percent of the students, 20 percent of the Federal aid to education, and 44 percent of the student loan defaults have to be held accountable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I ask that I be notified after 7 minutes.

The PRESIDING OFFICER. The Senator will be so notified.

Mr. SESSIONS. Mr. President, I start by saying Commander Pilcher is a fabulous naval officer. He is doing great work in our office as we deal with the defense issues in this country, and he has been of real assistance to us. I have to say that I am proud of him. He reflects well on the Navy and the people who defend this country every day.

AMENDMENT NO. 1521

Mr. President, what is happening now is unfortunate. On the Defense bill that came out of the Armed Services Committee, of which I am a member, that ranking member Senator REED and Senator MCCAIN worked on, we have had virtually no significant disagreements except this one. What our Democratic colleagues are insisting upon, driven by the President and political interests, is that defense gets no increase in funding unless nondefense gets an increase in funding over the budget cap established by the Budget Control Act.

In 2011, we passed the Budget Control Act. A part of that was the sequester, and it was not something that was never intended to occur, as some of my colleagues have claimed. It was in the law. They always say: Well, we never intended this to occur. Not so—we passed it into law. It said there would be a commission and the commission could look at entitlements and other things with the hope that we would come up with some way to save more money and put us on a sound financial path.

They said if they did not come up with that agreement, then what we put in the law would take effect as limits on defense and nondefense discretionary spending.

Under the Budget Control Act, next year will be the last year it holds those limits. It will be basically flat spending again this year, but it will increase thereafter at 2.5 percent a year. We are not destroying nondefense discretionary spending.

Remember, this legislation was passed in 2011. That is the year President Obama said: Iraq is settled; we are going to pull all the troops out. Senator MCCAIN pleaded with him not to do that. He said we could have danger in the future. He warned that if we did that, chaos could occur. But no, the President, to comply with his campaign promise, said we were pulling them all out.

Unfortunately, Senator MCCAIN was correct. We have ISIS. Iraq is in turmoil. The Syrian turmoil has gotten worse. Since 2011, Russia invaded Crimea. Yemen is in trouble. Iran is hardening its position with regard to nuclear weapons. Libya is experiencing serious problems.

All of this, I suggest, was the result of an unwise, unclear, and weak foreign policy. Every one of those situations could be better today had we had clearer leadership and people that listened to someone such as Chairman MCCAIN, who knew what he was talking about. But that is all water over the dam at this point.

What do we do now? We have to have more money for defense. I am a budget hawk. I was ranking member on the budget when we did the 2011 cap and limit on spending. I defended it consistently. But I have to tell you, colleagues, both the President, our Democratic Members, and Republican Members believe we are going to have to increase our defense budget.

What is the problem? The problem is our colleagues are saying: Well, you cannot increase defense unless you increase nondefense by the same amount.

How silly is that? Imagine, you have a tight budget at home, and a tree falls on your house. Emergency—you have to go out and find money, borrow money to fix the roof. Does that mean now that you are going to spend twice as much on your vacation? Are you going to go out and buy a new car that you did not plan to buy because you had to spend more money to fix the house?

How irresponsible is that? It is unbelievable to me. This is exactly what has occurred. They are demanding that we will not get a defense budget until we give more money for the nondefense account and spend above what we agreed to spend in the Budget Control Act. Remember, it will soon begin to grow at 2.5 percent a year. We have saved money through the Budget Control Act. It was a successful thing. We do not need to destroy it and give it up.

I want to say that I wish we had not had these dangerous conditions erupt throughout much of the world. I wish it had not happened. Senator MCCAIN warned that the foreign policy we were executing was going to result in just this kind of problem. But it has resulted, and we are going to have to defend our country. These are overseas contingency operations that we will be funding. If we do this, it does not mean we have to increase equally nondefense spending.

Let me just repeat the bad news I think most of us know. Every penny increased on the defense budget is borrowed money. If we increase nondefense spending, that is going to be borrowed, too. We do not need to borrow more money than necessary. Just because we have to spend more on defense does not mean we have to spend more on nondefense.

That is all I am saying. I think it is a mistake for our colleagues on the Democratic side to try to use the security of America as a leverage to demand more nondefense spending.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I thank my friend and colleague from Alabama for his very important remarks.

I rise to oppose this amendment. I do so with the great respect that I have for my friend and colleague, the ranking member. The Senator from Rhode Island and I have worked together very closely on every aspect of this legislation. We agree on the overwhelming majority of its provisions. As I have said before, this legislation is better because of the good work and cooperation that I have enjoyed with my friend from Rhode Island. I respect his knowledge of and experience on national defense issues, and I agree that we must fix sequestration. I also agree with him that our national security does not depend solely on the Department of Defense. But unfortunately, I disagree with my friend on the amendment before us.

Since the Budget Control Act became law, threats to this country have only increased and increased dramatically. Today, the United States faces the most diverse and complex array of crises around the world since the end of World War II. In the face of these global challenges, this amendment would prevent the Department from using $38 billion of vital budget authority through overseas contingency operations, known as OCO.

Despite the claims that OCO is a slush fund, the entirety of the OCO budget goes towards real defense requirements. With this budget authority, we are supporting our troops in Afghanistan and Iraq, operations against ISIL, and broader counterterrorism efforts. The Armed Services Committee has also funded a portion of operation and maintenance activities in OCO. These activities are directly tied to supporting our operating forces. They pay for training, transportation, fuel, and maintenance of our combat equipment. These budgetary lines pay for the readiness of our Active Forces and directly support our ongoing military operations.

It would be a disaster if this $38 billion is removed from what we are trying to achieve in this legislation. That is why it is not surprising the President himself has requested OCO funding for the exact same activities. The NDAA funded $38 billion of operation and maintenance with OCO money because the President had requested OCO funding for these activities already. They were the most closely linked to the government's growing number of overseas contingencies in which we are engaged.

To reiterate, I agree with Senator REED that we must absolutely fix the Budget Control Act. Finding a bipartisan solution to do so remains my top priority. But in absence of such an agreement, I refuse to hold funding for the military hostage, leaving defense at sequestration levels of spending that every single military service chief has testified would put more American lives at risk of those serving in the Armed Forces of the United States. We cannot do that. We cannot add greater danger to the lives of the men and women who are serving in the military. This amendment would do that.

The NDAA is a policy bill. It cannot solve the Budget Control Act. It deals only with defense issues. It does not spend a dollar. It provides the Department of Defense and our men and women in uniform with the authorities and support they need to defend the Nation.

The NDAA is a reform bill—a reform bill, my friends—that will enable our military to rise to the challenge of a more dangerous world. It tackles acquisition reform, military retirement reform, personnel reform, even commissary reform, and headquarters and management reform. The list goes on and on. The Armed Services Committee identified $10 billion of excess and unnecessary spending from the President's defense budget request, and we are reinvesting it in military capabilities for our warfighters and reforms that can yield long-term savings for the Department of Defense. We did all of this while upholding our commitments to our servicemembers, retirees, and their families.

Members of the Armed Services Committee understand the need to fix the Budget Control Act. That is why we included a provision in the bill that would authorize the transfer of the additional $38 billion from OCO to the base budget in the event that legislation is enacted that increases the budget caps on discretionary defense and nondefense spending in proportionately equal amounts. This was the product of a bipartisan compromise, and it was the most we could responsibly do in the committee to recognize the need for a broader fiscal agreement without denying funding for our military.

Every one of us has a constitutional duty to provide for the common defense, and as chairman of the Armed Services Committee, that is my highest responsibility. Funding our national defense with OCO is not ideal, but it is far better than the alternative, which is to deny the men and women in uniform the $38 billion they desperately need now. The President requested $38 billion, and our military leaders have said they cannot succeed without that $38 billion.

Regrettably, that is what this amendment would do, and I oppose it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, first, let me say with great respect how I appreciate the collaboration and cooperation of the chairman on so much of the bill where we worked together, but this is an issue that I feel very strongly about.

Let me be very clear about what this amendment does. First, it recognizes the need—as the President did in his budget submission—for adequate resources for our Department of Defense. But what it does is it says that the additional money above the President's request for OCO—the $38 billion which was taken from the base and put into this overseas account—would be essentially fenced or set aside until we resolve the Budget Control Act, and I think we have to begin that process immediately.

Senator MCCAIN has said quite sincerely and quite persistently that we have to fix sequestration. Every uniformed service chief who came before our committee said we have to fix sequestration and the budget control caps. The reality is that this legislation does not do that. Indeed, my amendment does not do it, but it points us in that direction and gives us a strong incentive to fix the BCA and to do what all of our defense leaders have asked us to do for the welfare and safekeeping of our troops and forces in the field.

The President recognizes this need. His budget is virtually identical to the

top-line number we are talking about today. But what he also recognized is that we had to put this money into the base budget of the Department of Defense, not into the OCO account.

OCO was created because of our contingency operations overseas in Afghanistan and Iraq. It was created to fund those unpredictable year-by-year needs that arise when you have forces in conflict and in combat. It was not designed to be a fund that would take care of long-term, routine demands of the Department of Defense.

Interestingly enough, in 2008 we had 187,000 troops deployed in Afghanistan and Iraq. If we look at the OCO number for that year, we were spending approximately $1 million per troop—all the costs, such as the fuel, the ammunition, and their own safekeeping. Today, we have 9,930 troops deployed in these combat zones. Yet, if we look at the same ratio we are asking for in this bill, it is about $9 million per individual soldier, sailor, marine, and airman. That shows us that this fund has gone way beyond its intent. It has become an escape valve from the Budget Control Act just for the Department of Defense.

It is important to emphasize that our defense is not just the Department of Defense. Our national security rests on a strong Homeland Security Department that protects our borders. It rests on our Border Patrol, which is part of Homeland Security. It rests on the Coast Guard, which patrols our waters, the Justice Department, and the FBI.

We had an incident just a few days ago in Massachusetts where an FBI agent and a Massachusetts police officer confronted an alleged terrorist. It wasn't military forces, it was the local police force and FBI agents who were protecting our neighborhoods and communities. Those functions will not be adequately funded if we get on this path for OCO. In fact, that is my greatest concern. If this were a 1-year, temporary fix, we might be able to justify it, but what we are seeing is a pathway that will have us taking more from OCO every year, and there will be more interesting and more remote uses of OCO funds. Unfortunately, that is the way it tends to be around here. You go where the money is, and right now the money is in OCO.

I think we should step back and do what the chairman said. We have to fix it. And he is committed to fixing it, but we have to begin now. We have to make the case now. We can't simply sit back and say we will take it up later. And that is at the heart of this.

The other issue here is very clear: OCO is not a perfect fix for the Department of Defense. As the Chief of Staff of the Army said, it has limits, it has restrictions, and it is funded for 1 year, but it is there, and they will take the money. We know that. But it is our duty and responsibility to have a more thoughtful, long-term approach, and in doing so, I urge my colleagues to support this amendment. It does not take away the resources. It simply says that these resources will be there once we fix the Budget Control Act, and that is what I hear everyone in this Chamber—practically everyone—saying every day: We will fix it. We will fix it. When we do, this money will already be authorized.

I am convinced that unless we stand up right now and say—hopefully with one voice—in a formal way that we have to get on the task of fixing the Budget Control Act, days will pass, weeks will pass, and months will pass to the detriment of our country, to the detriment of our military forces, and ultimately we will find ourselves, both in terms of national security and a whole range of programs, in a very bad position.

I ask that all of my colleagues consider this amendment and give it support.

With that, I yield the floor.

Mr. President, I believe the vote on my amendment is in order at this time, and I ask for the yeas and nays.

The PRESIDING OFFICER (Mr. LANKFORD). Is there a sufficient second?

There appears to be a sufficient second.

Under the previous order, the question occurs on agreeing to amendment No. 1521, offered by the Senator from Rhode Island, Mr. REED.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Florida (Mr. RUBIO), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 46, nays 51, as follows:

[Rollcall Vote No. 205 Leg.]

YEAS—46

Baldwin	Heinrich	Peters
Bennet	Heitkamp	Reed
Blumenthal	Hirono	Reid
Booker	Kaine	Sanders
Boxer	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Manchin	Stabenow
Carper	Markey	Tester
Casey	McCaskill	Udall
Coons	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Murphy	Wyden
Franken	Murray	
Gillibrand	Nelson	

NAYS—51

Alexander	Enzi	McCain
Ayotte	Ernst	McConnell
Barrasso	Fischer	Moran
Blunt	Flake	Murkowski
Boozman	Gardner	Paul
Burr	Graham	Perdue
Capito	Grassley	Portman
Cassidy	Hatch	Risch
Coats	Heller	Roberts
Cochran	Hoeven	Rounds
Collins	Inhofe	Sasse
Corker	Isakson	Scott
Cornyn	Johnson	Sessions
Cotton	Kirk	
Crapo	Lankford	
Daines	Lee	
Shelby	Thune	Toomey
Sullivan	Tillis	Wicker

NOT VOTING—3

Cruz	Rubio	Vitter

The amendment (No. 1521) was rejected.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the pending amendment be temporarily set aside so that Senator FEINSTEIN may offer amendment No. 1889 and that amendment No. 1889 be set aside so that Senator FISCHER may offer amendment No. 1825.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from California.

AMENDMENT NO. 1889 TO AMENDMENT NO. 1463

Mrs. FEINSTEIN. Mr. President, I call up the McCain-Feinstein-Reed-Collins amendment No. 1889.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from California [Mrs. FEINSTEIN], for Mr. MCCAIN, proposes an amendment numbered 1889 to amendment No. 1463.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To reaffirm the prohibition on torture)

At the end of subtitle D of title X, add the following:

SEC. 1040. REAFFIRMATION OF THE PROHIBITION ON TORTURE.

(a) LIMITATION ON INTERROGATION TECHNIQUES TO THOSE IN THE ARMY FIELD MANUAL.—

(1) ARMY FIELD MANUAL 2–22.3 DEFINED.—In this subsection, the term ''Army Field Manual 2–22.3'' means the Army Field Manual 2–22.3 entitled ''Human Intelligence Collector Operations'' in effect on the date of the enactment of this Act or any similar successor Army Field Manual.

(2) RESTRICTION.—

(A) IN GENERAL.—An individual described in subparagraph (B) shall not be subjected to any interrogation technique or approach, or any treatment related to interrogation, that is not authorized by and listed in the Army Field Manual 2–22.3.

(B) INDIVIDUAL DESCRIBED.—An individual described in this subparagraph is an individual who is—

(i) in the custody or under the effective control of an officer, employee, or other agent of the United States Government; or

(ii) detained within a facility owned, operated, or controlled by a department or agency of the United States, in any armed conflict.

(3) IMPLEMENTATION.—Interrogation techniques, approaches, and treatments described in Army Field Manual 2–22.3 shall be implemented strictly in accord with the principles, processes, conditions, and limitations prescribed by Army Field Manual 2–22.3.

(4) AGENCIES OTHER THAN THE DEPARTMENT OF DEFENSE.—If a process required by Army Field Manual 2–22.3, such as a requirement of approval by a specified Department of Defense official, is inapposite to a department or an agency other than the Department of Defense, the head of such department or

agency shall ensure that a process that is substantially equivalent to the process prescribed by Army Field Manual 2–22.3 for the Department of Defense is utilized by all officers, employees, or other agents of such department or agency.

(5) INTERROGATION BY FEDERAL LAW ENFORCEMENT.—Nothing in this subsection shall preclude an officer, employee, or other agent of the Federal Bureau of Investigation or other Federal law enforcement agency from continuing to use authorized, non-coercive techniques of interrogation that are designed to elicit voluntary statements and do not involve the use of force, threats, or promises.

(6) UPDATE OF THE ARMY FIELD MANUAL.—

(A) REQUIREMENT TO UPDATE.—

(i) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and once every three years thereafter, the Secretary of Defense, in coordination with the Attorney General, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence, shall complete a thorough review of Army Field Manual 2–22.3, and revise Army Field Manual 2–22.3, as necessary to ensure that Army Field Manual 2–22.3 complies with the legal obligations of the United States and reflects current, evidence-based, best practices for interrogation that are designed to elicit reliable and voluntary statements and do not involve the use or threat of force.

(ii) AVAILABILITY TO THE PUBLIC.—Army Field Manual 2–22.3 shall remain available to the public and any revisions to the Army Field Manual 2–22.3 adopted by the Secretary of Defense shall be made available to the public 30 days prior to the date the revisions take effect.

(B) REPORT ON BEST PRACTICES OF INTERROGATIONS.—

(i) REQUIREMENT FOR REPORT.—Not later than 120 days after the date of the enactment of this Act, the interagency body established pursuant to Executive Order 13491 (commonly known as the High-Value Detainee Interrogation Group) shall submit to the Secretary of Defense, the Director of National Intelligence, the Attorney General, and other appropriate officials a report on current, evidence-based, best practices for interrogation that are designed to elicit reliable and voluntary statements and do not involve the use of force.

(ii) RECOMMENDATIONS.—The report required by clause (i) may include recommendations for revisions to Army Field Manual 2–22.3 based on the body of research commissioned by the High-Value Detainee Interrogation Group.

(iii) AVAILABILITY TO THE PUBLIC.—Not later than 30 days after the report required by clause (i) is submitted such report shall be made available to the public.

(b) INTERNATIONAL COMMITTEE OF THE RED CROSS ACCESS TO DETAINEES.—

(1) REQUIREMENT.—The head of any department or agency of the United States Government shall provide the International Committee of the Red Cross with notification of, and prompt access to, any individual detained in any armed conflict in the custody or under the effective control of an officer, employee, contractor, subcontractor, or other agent of the United States Government or detained within a facility owned, operated, or effectively controlled by a department, agency, contractor, or subcontractor of the United States Government, consistent with Department of Defense regulations and policies.

(2) CONSTRUCTION.—Nothing in this subsection shall be construed—

(A) to create or otherwise imply the authority to detain; or

(B) to limit or otherwise affect any other individual rights or state obligations which may arise under United States law or international agreements to which the United States is a party, including the Geneva Conventions, or to state all of the situations under which notification to and access for the International Committee of the Red Cross is required or allowed.

The PRESIDING OFFICER. The Senator from Nebraska.

AMENDMENT NO. 1825 TO AMENDMENT NO. 1463

(Purpose: To authorize appropriations for national security aspects of the Merchant Marine for fiscal years 2016 and 2017, and for other purposes)

Mrs. FISCHER. Mr. President, I call up amendment No. 1825.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Nebraska [Mrs. FISCHER] proposes an amendment numbered 1825 to amendment No. 1463.

Mrs. FISCHER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in the RECORD of June 8, 2015, under ''Text of Amendments.'')

Mrs. FISCHER. Mr. President, I rise to speak about Senate amendment No. 1825, the Maritime Administration Enhancement Act, which would reauthorize the Maritime Administration, or MARAD, for fiscal years 2016 and 2017. MARAD will be and traditionally has been added to the National Defense Authorization Act on the Senate floor.

MARAD strengthens our national security through its numerous programs to maintain a U.S. Merchant Marine fleet. Under the bipartisan amendment, MARAD will be authorized at $380 million, which is similar to the levels authorized in the House NDAA. This bipartisan agreement will authorize MARAD spending above current authorized levels, as requested by the White House, while providing support to MARAD's economic and national defense programs.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. GILLIBRAND. Mr. President, I want to speak on my amendment but not call it up at this moment. It is amendment No. 1578. The purpose of the amendment is to create an unbiased military justice system. I believe the Senate needs to vote on this amendment.

Over the last few years, Congress has forced the military to make incremental changes to address the crisis of sexual assault. After two decades of complete failure and lip service to zero tolerance, the military now says, essentially: Trust us. We have got it this time.

They spin the data, hoping nobody will dig below the surface of their top lines, because when you do, you will find the assault rate is exactly where it was in 2010.

We see an average of 52 new cases every day. Three out of four servicemembers who are survivors still don't think it is worth the risk of coming forward to report these crimes committed against them. One in seven victims was actually assaulted by someone in their chain of command. In 60 percent of cases, the survivor says a unit leader or supervisor is responsible for sexual harassment or gender discrimination. So it is no surprise that one in three survivors believes reporting would hurt their career.

For those who do report, they are more likely than not to experience retaliation. Despite the much touted reform that made retaliation a crime, the DOD has made zero progress on improving the 62-percent retaliation rate we had in 2012. So in 2012, 62 percent of those who reported a crime against them were retaliated against for doing so. In 2014, again, 62 percent were retaliated against.

Human Rights Watch looked into these figures and into the stories, and they found the DOD could not provide a single example from the last year where disciplinary action was actually taken against someone for retaliation. A sexual assault survivor is 12 times more likely to suffer retaliation than see their offender get convicted of sexual assault.

In my close review of 107 cases from 2013 from our four largest military bases—one for each service—I found that nearly half of those who did move forward to report in an unrestricted report, half of them withdrew from their case during the first year.

So we can talk all we want about reporting, reporting, but if half of those who report withdraw during the year of their prosecution, it shows there is no faith in the system. Survivors do not have faith in the current system. Under any metric, the system remains plagued with distrust and does not provide fair and just process that survivors deserve.

Simply put, the military has not held up to the standard posed by General Dempsey 1 year ago when he said the Pentagon was on the clock.

I urge my colleagues to hold the military to this higher standard. Let us put these decisions into the hands of trained military prosecutors. Enough is enough with the spin, with the excuses, and with false promises. We have to do the right thing and we have to act.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. AYOTTE. Mr. President, I rise to speak about an amendment—amendment No. 1628—to the Defense Authorization Act. This is an amendment I

have submitted with Senator PETERS, and it has strong bipartisan support.

This is about the threat of tunnels—tunnels used by terrorists. We saw those tunnels being used in the 2014 conflict that Israel had with Hamas. Israel found more than 30 terror tunnels that had been dug by terrorists to infiltrate and attack Israel.

The Israeli military said these tunnels were intended to carry out attacks, such as abductions of Israeli citizens and soldiers, infiltrations into Israeli communities, mass murders and hostage-taking scenarios.

In one disturbing attack in July of 2014, Hamas terrorists used one of these terror tunnels to sneak into Israel and then attack and kill five Israeli soldiers.

This is a picture of one of these terror tunnels. You can imagine, if terrorists can use a tunnel to come into your country, the feeling of fear that can create in the civilian population.

Unfortunately, terror tunnels are not a new problem. In 2006, terrorists used tunnels to capture Israeli soldier Gilad Shalit. They used tunnels to take Gilad back to Gaza and held him captive for 5 years. Two other soldiers were killed in this same attack where these terror tunnels were used.

Again, this issue of terror tunnels is not unique to the conflict the Israeli people have been subjected to. In fact, one of Israel's primary objectives in Operation Protective Edge last year was to destroy these terror tunnels that posed unacceptable risk to the Israelis and to their national security. That is why Israel has devoted so much attention to this problem and how to destroy these terror tunnels.

But not only are terror tunnels a leading security concern for the Government of Israel, tunnels are being used by terrorists in Syria and in Iraq. According to a public report yesterday, ISIS used several dozen tunnel bombs in Syria and used tunnels to help take the Iraqi city of Ramadi. On March 11, ISIS reportedly detonated a tunnel bomb under an Iraqi Army headquarters, killing an estimated 22 people. On March 15, a second tunnel bomb was reportedly used to attack Iraqi security forces.

Terror tunnels can also be used to threaten U.S. Embassies and forward-deployed U.S. military personnel. In addition, drug trafficking organizations and international criminal organizations continue to construct tunnels on our southern border in order to illegally move people, drugs, and anything else they think will advantage them into the United States. Drug cartels are exploiting vulnerabilities on our border. While this undoubtedly affects border communities and border States, it has consequences far beyond the border States.

In my home State of New Hampshire, heroin is killing people. It is a public health epidemic. I have spoken to law enforcement, first responders, firefighters, and public safety officials, and we have seen a dramatic increase in the number of people dying in my State. According to a recent DEA report and drug control experts, heroin is most commonly being brought into the United States via the southwest border.

In many places on our border with Mexico, we have fences. Unfortunately, these criminals and their syndicates—by the way, we have heard from the commander of Southern Command, and he believes these networks could be used by terrorists if they wanted to infiltrate our country. Unfortunately, they are being dug on our southern border.

This is a picture of a tunnel built on our southern border that is used to smuggle drugs, smuggle people—smuggle anything criminals and other bad people want to move into our country.

In a 2-day period alone in April, two tunnels were discovered beneath the California-Mexico border. Again, these tunnels are often used to smuggle almost anything you can think of into this country, drugs being the most prominent thing smuggled in. According to public reports, dozens of smuggling tunnels have been discovered on our southern borders since 2006.

The amendment I have submitted to the Defense authorization, along with my colleague, Senator PETERS from Michigan, is an amendment that builds on a provision already in the Defense authorization that I had included in section 1272. Our amendment promotes and authorizes greater cooperation between Israel and the United States to counter terror tunnels in Israel.

If we work with close allies such as Israel to develop better capabilities to detect, map, and neutralize tunnels, not only can we help defend Israel and Israel defend itself against terrorist groups such as Hamas and Hezbollah, but we can also use the capabilities we develop together to better protect our own border, our own U.S. Embassies, and our forward-deployed U.S. troops.

My amendment specifically highlights the tunnel threat on our southern border. It calls on the administration to use the anti-tunneling capabilities developed to help Israel to better protect the United States, our people, our interests, and our border. In short, this amendment will help Israel, our closest and most reliable ally in the Middle East. It will help us defeat the use of terror tunnels. It will better equip officials on our southern border to find and shut down tunnels that are being used to smuggle drugs and that can be used to smuggle other dangerous items into the United States of America by these criminal syndicates.

Again, the commander of our Southern Command said he believes this network can also be used by terrorists.

Not surprisingly, this effort and this amendment have received strong bipartisan support. I thank all of my colleagues on both sides of the aisle who have sponsored this amendment. This is a commonsense amendment, and I hope my colleagues, when it is offered for a vote on the Senate floor, will support this amendment so that we can work with the Israeli Government, that we can share our understanding of how to stop these terror tunnels and we can deploy that same technology on our southern borders to keep our country safe.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 1485, 1510, 1520, 1538, 1579, 1622, 1791, 1677, 1701, 1733, 1739, 1744, 1781, AND 1796 TO AMENDMENT NO. 1463

Mr. MCCAIN. Mr. President, the ranking member and I have a small package of amendments that have been cleared by both sides.

I ask unanimous consent that the following amendments be called up and agreed to en bloc: No. 1485, Hoeven; No. 1510, Heller; No. 1520, Rounds; No. 1538, Wicker; No. 1579, Ernst; No. 1622, Moran; No. 1791, Rubio; No. 1677, Udall; No. 1701, Wyden; No. 1733, Stabenow; No. 1739, McCaskill; No. 1744, Feinstein; No. 1781, Heitkamp; and No. 1796, Cardin.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendments are called up and agreed to en bloc.

The amendments (Nos. 1485, 1510, 1520, 1538, 1579, 1622, 1791, 1677, 1701, 1733, 1739, 1744, 1781, and 1796) agreed to en bloc are as follows:

AMENDMENT NO. 1485

(Purpose: To express the sense of the Senate on the nuclear force improvement program of the Air Force)

At the appropriate place, insert the following:

SEC. 1637. SENSE OF SENATE ON THE NUCLEAR FORCE IMPROVEMENT PROGRAM OF THE AIR FORCE.

(a) FINDINGS.—The Senates makes the following findings:

(1) On February 6, 2014, Air Force Global Strike Command (AFGSC) initiated a force improvement program for the Intercontinental Ballistic Missile (ICBM) force designed to improve mission effectiveness, strengthen culture and morale, and identify areas in need of investment by soliciting input from airmen performing ICBM operations.

(2) The ICBM force improvement program generated more than 300 recommendations to strengthen ICBM operations and served as a model for subsequent force improvement programs in other mission areas, such as bomber operations and sustainment.

(3) On May 28, 2014, as part of the nuclear force improvement program, the Air Force announced it would make immediate improvements in the nuclear mission of the Air Force, including enhancing career opportunities for airmen in the nuclear career field, ensuring training activities focused on performing the mission in the field, reforming the personnel reliability program, establishing special pay rates for positions in the

nuclear career field, and creating a new service medal for nuclear deterrence operations.

(4) Chief of Staff of the Air Force Mark Welsh has said that, as part of the nuclear force improvement program, the Air Force will increase nuclear-manning levels and strengthen professional development for the members of the Air Force supporting the nuclear mission of the Air Force in order ''to address shortfalls and offer our airmen more stable work schedule and better quality of life''.

(5) Secretary of the Air Force Deborah Lee James, in recognition of the importance of the nuclear mission of the Air Force, proposed elevating the grade of the commander of the Air Force Global Strike Command from lieutenant general to general, and on March 30, 2015, the Senate confirmed a general as commander of that command.

(6) The Air Force redirected more than $160,000,000 in fiscal year 2014 to alleviate urgent, near-term shortfalls within the nuclear mission of the Air Force as part of the nuclear force improvement program.

(7) The Air Force plans to spend more than $200,000,000 on the nuclear force improvement program in fiscal year 2015, and requested more than $130,000,000 for the program for fiscal year 2016.

(8) Secretary of Defense Chuck Hagel said on November 14, 2014, that ''[t]he nuclear mission plays a critical role in ensuring the Nation's safety. No other enterprise we have is more important''.

(9) Secretary Hagel also said that the budget for the nuclear mission of the Air Force should increase by 10 percent over a five-year period.

(10) Section 1652 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–201; 128 Stat. 3654; 10 U.S.C. 491 note) declares it the policy of the United States ''to ensure that the members of the Armed Forces who operate the nuclear deterrent of the United States have the training, resources, and national support required to execute the critical national security mission of the members''.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) the nuclear mission of the Air Force should be a top priority for the Department of the Air Force and for Congress;

(2) the members of the Air Force who operate and maintain the Nation's nuclear deterrent perform work that is vital to the security of the United States;

(3) the nuclear force improvement program of the Air Force has made significant near-term improvements for the members of the Air Force in the nuclear career field of the Air Force;

(4) Congress should support long-term investments in the Air Force nuclear enterprise that sustain the progress made under the nuclear force improvement program;

(5) the Air Force should—

(A) regularly inform Congress on the progress being made under the nuclear force improvement program and its efforts to strengthen the nuclear enterprise; and

(B) make Congress aware of any additional actions that should be taken to optimize performance of the nuclear mission of the Air Force and maximize the strength of the United States strategic deterrent; and

(6) future budgets for the Air Force should reflect the importance of the nuclear mission of the Air Force and the need to provide members of the Air Force assigned to the nuclear mission the best possible support and quality of life.

AMENDMENT NO. 1510

(Purpose: To require a report on the interoperability between electronic health records systems of the Department of Defense and the Department of Veterans Affairs)

At the end of subtitle C of title VII, add the following:

SEC. 738. REPORT ON INTEROPERABILITY BETWEEN ELECTRONIC HEALTH RECORDS SYSTEMS OF DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report that sets forth a timeline with milestones for achieving interoperability between the electronic health records systems of the Department of Defense and the Department of Veterans Affairs.

AMENDMENT NO. 1520

(Purpose: To require the Secretary of Defense to develop a comprehensive plan to support civil authorities in response to cyber attacks by foreign powers)

At the appropriate place in subtitle B of title XVI, insert the following:

SEC. ____. COMPREHENSIVE PLAN OF DEPARTMENT OF DEFENSE TO SUPPORT CIVIL AUTHORITIES IN RESPONSE TO CYBER ATTACKS BY FOREIGN POWERS.

(a) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop a comprehensive plan for the United States Cyber Command to support civil authorities in responding to cyber attacks by foreign powers (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801)) against the United States or a United States person.

(2) ELEMENTS.—The plan required by paragraph (1) shall include the following:

(A) A plan for internal Department of Defense collective training activities that are integrated with exercises conducted with other agencies and State and local governments.

(B) Plans for coordination with the heads of other Federal agencies and State and local governments pursuant to the exercises required under subparagraph (A).

(C) Note of any historical frameworks that are used, if any, in the formulation of the plan required by paragraph (1), such as Operation Noble Eagle.

(D) Descriptions of the roles, responsibilities, and expectations of Federal, State, and local authorities as the Secretary understands them.

(E) Descriptions of the roles, responsibilities, and expectations of the active components and reserve components of the Armed Forces.

(F) A description of such legislative and administrative action as may be necessary to carry out the plan required by paragraph (1).

(b) COMPTROLLER GENERAL OF THE UNITED STATES REVIEW OF PLAN.—The Comptroller General of the United States shall review the plan developed under subsection (a)(1).

AMENDMENT NO. 1538

(Purpose: To allow for improvements to the United States Merchant Marine Academy)

At the end of subtitle G of title X, add the following:

SEC. 1085. MELVILLE HALL OF THE UNITED STATES MERCHANT MARINE ACADEMY.

(a) GIFT TO THE MERCHANT MARINE ACADEMY.—The Maritime Administrator may accept a gift of money from the Foundation under section 51315 of title 46, United States Code, for the purpose of renovating Melville Hall on the campus of the United States Merchant Marine Academy.

(b) COVERED GIFTS.—A gift described in this subsection is a gift under subsection (a) that the Maritime Administrator determines exceeds the sum of—

(1) the minimum amount that is sufficient to ensure the renovation of Melville Hall in accordance with the capital improvement plan of the United States Merchant Marine Academy that was in effect on the date of enactment of this Act; and

(2) 25 percent of the amount described in paragraph (1).

(c) OPERATION CONTRACTS.—Subject to subsection (d), in the case that the Maritime Administrator accepts a gift of money described in subsection (b), the Maritime Administrator may enter into a contract with the Foundation for the operation of Melville Hall to make available facilities for, among other possible uses, official academy functions, third-party catering functions, and industry events and conferences.

(d) CONTRACT TERMS.—The contract described in subsection (c) shall be for such period and on such terms as the Maritime Administrator considers appropriate, including a provision, mutually agreeable to the Maritime Administrator and the Foundation, that—

(1) requires the Foundation—

(A) at the expense solely of the Foundation through the term of the contract to maintain Melville Hall in a condition that is as good as or better than the condition Melville Hall was in on the later of—

(i) the date that the renovation of Melville Hall was completed; or

(ii) the date that the Foundation accepted Melville Hall after it was tendered to the Foundation by the Maritime Administrator; and

(B) to deposit all proceeds from the operation of Melville Hall, after expenses necessary for the operation and maintenance of Melville Hall, into the account of the Regimental Affairs Non-Appropriated Fund Instrumentality or successor entity, to be used solely for the morale and welfare of the cadets of the United States Merchant Marine Academy; and

(2) prohibits the use of Melville Hall as lodging or an office by any person for more than 4 days in any calendar year other than—

(A) by the United States; or

(B) for the administration and operation of Melville Hall.

(e) DEFINITIONS.—In this section:

(1) CONTRACT.—The term ''contract'' includes any modification, extension, or renewal of the contract.

(2) FOUNDATION.—In this section, the term ''Foundation'' means the United States Merchant Marine Academy Alumni Association and Foundation, Inc.

(f) RULES OF CONSTRUCTION.—Nothing in this section may be construed under section 3105 of title 41, United States Code, as requiring the Maritime Administrator to award a contract for the operation of Melville Hall to the Foundation.

AMENDMENT NO. 1579

(Purpose: To express the sense of Congress that the Secretary of Defense should maintain and enhance robust military intelligence support to force protection for installations, facilities, and personnel of the Department of Defense and the family members of such personnel)

At the end of subtitle E of title XVI, add the following:

SEC. 1664. SENSE OF CONGRESS ON MAINTAINING AND ENHANCING MILITARY INTELLIGENCE SUPPORT TO FORCE PROTECTION FOR INSTALLATIONS, FACILITIES, AND PERSONNEL OF THE DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Maintaining appropriate force protection for deployed personnel of the Department of Defense and their families is a priority for Congress.

(2) Installations, facilities, and personnel of the Department in Europe face a rising threat from international terrorist groups operating in Europe, from individuals inspired by such groups, and from those traversing through Europe to join or return from fighting the terrorist organization known as the ''Islamic State of Iraq and the Levant'' (ISIL) in Iraq and Syria.

(3) Robust military intelligence support to force protection is necessary to detect and thwart potential terrorist plots that, if successful, would have strategic consequences for the United States and the allies of the United States in Europe.

(4) Military intelligence support is also important for detecting and addressing early indicators and warnings of aggression and assertive military action by Russia, particularly action by Russia to destabilize Europe with hybrid or asymmetric warfare.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should maintain and enhance robust military intelligence support to force protection for installations, facilities, and personnel of the Department of Defense and the family members of such personnel, in Europe and worldwide.

AMENDMENT NO. 1622

(Purpose: To express the sense of Congress on reviewing and considering findings and recommendations of the Council of Governors regarding cyber capabilities of the Armed Forces)

At the end of subtitle B of title XVI, add the following:

SEC. 1628. SENSE OF CONGRESS ON REVIEWING AND CONSIDERING FINDINGS AND RECOMMENDATIONS OF COUNCIL OF GOVERNORS ON CYBER CAPABILITIES OF THE ARMED FORCES.

It is the sense of Congress that the Secretary of Defense should review and consider any findings and recommendations of the Council of Governors pertaining to cyber mission force requirements and any proposed reductions in and synchronization of the cyber capabilities of active or reserve components of the Armed Forces.

AMENDMENT NO. 1791

(Purpose: To authorize a land exchange at Navy Outlying Field, Naval Air Station, Whiting Field, Florida)

At the end of subtitle C of title XXVIII, add the following:

SEC. 2822. LAND EXCHANGE, NAVY OUTLYING LANDING FIELD, NAVAL AIR STATION, WHITING FIELD, FLORIDA.

(a) LAND EXCHANGE AUTHORIZED.—The Secretary of the Navy may convey to Escambia County, Florida (in this section referred to as the ''County''), all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, containing Navy Outlying Landing Field Site 8 in Escambia County associated with Naval Air Station, Whiting Field, Milton, Florida.

(b) LAND TO BE ACQUIRED.—In exchange for the property described in subsection (a), the County shall convey to the Secretary of the Navy land and improvements thereon in Santa Rosa County, Florida, that is acceptable to the Secretary and suitable for use as a Navy outlying landing field to replace Navy Outlying Landing Field Site 8.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Navy shall require the County to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the land exchange under this section, including survey costs, costs for environmental documentation, other administrative costs related to the land exchange, and all costs associated with relocation of activities and facilities from Navy Outlying Landing Field Site 8 to the replacement location. If amounts are collected from the County in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the land exchange, the Secretary shall refund the excess amount to the County.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the land exchange. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be exchanged under this section shall be determined by surveys satisfactory to the Secretary of the Navy.

(e) CONVEYANCE AGREEMENT.—The exchange of real property under this section shall be accomplished using a quit claim deed or other legal instrument and upon terms and conditions mutually satisfactory to the Secretary of the Navy and the County, including such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

AMENDMENT NO. 1677

(Purpose: To require the Secretary of Defense to submit information to the Secretary of Veterans Affairs relating to the exposure of members of the Armed Forces to airborne hazards and open burn pits)

At the end of subtitle C of title VII, add the following:

SEC. 738. SUBMITTAL OF INFORMATION TO SECRETARY OF VETERANS AFFAIRS RELATING TO EXPOSURE TO AIRBORNE HAZARDS AND OPEN BURN PITS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and periodically thereafter, the Secretary of Defense shall submit to the Secretary of Veterans Affairs such information in the possession of the Secretary of Defense as the Secretary of Veterans Affairs considers necessary to supplement and support—

(1) the development of information to be included in the Airborne Hazards and Open Burn Pit Registry established by the Department of Veterans Affairs under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note); and

(2) research and development activities conducted by the Department of Veterans Affairs to explore the potential health risks of exposure by members of the Armed Forces to environmental factors in Iraq and Afghanistan, in particular the connection of such exposure to respiratory illnesses such as chronic cough, chronic obstructive pulmonary disease, constrictive bronchiolitis, and pulmonary fibrosis.

(b) INCLUSION OF CERTAIN INFORMATION.—The Secretary of Defense shall include in the information submitted to the Secretary of Veterans Affairs under subsection (a) information on any research and surveillance efforts conducted by the Department of Defense to evaluate the incidence and prevalence of respiratory illnesses among members of the Armed Forces who were exposed to open burn pits while deployed overseas.

AMENDMENT NO. 1701

(Purpose: To improve the provisions relating to adoption of retired military working dogs)

On page 117, insert between lines 12 and 13, the following:

(b) LOCATION OF RETIREMENT.—Subsection (f) of such section is further amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(2) by inserting ''(1)'' before ''If the Secretary'';

(3) in paragraph (1), as designated by paragraph (2) of this subsection—

(A) by striking '', and no suitable adoption is available at the military facility where the dog is location,''; and

(B) in subparagraph (B), as designated by paragraph (1) of this subsection, by inserting ''within the United States'' after ''to another location''; and

(4) by adding at the end the following new paragraph (2):

''(2) Paragraph (1) shall not apply if a United States citizen living abroad adopts the dog at the time of retirement.''.

AMENDMENT NO. 1733

(Purpose: To require a report on plans for the use and availability of airfields in the United States for homeland defense missions)

At the end of subtitle F of title X, add the following:

SEC. 1065. REPORT ON PLANS FOR THE USE OF DOMESTIC AIRFIELDS FOR HOMELAND DEFENSE AND DISASTER RESPONSE.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of Homeland Security and the Secretary of Transportation, submit to the appropriate committees of Congress a report setting forth an assessment of the plans for airfields in the United States that are required to support homeland defense and local disaster response missions.

(b) CONSIDERATIONS.—The report shall include the following items:

(1) The criteria used to determine the capabilities and locations of airfields in the United States needed to support safe operations of military aircraft in the execution of homeland defense and local disaster response missions.

(2) A description of the processes and procedures in place to ensure that contingency plans for the use of airfields in the United States that support both military and civilian air operations are coordinated among the Department of Defense and other Federal agencies with jurisdiction over those airfields.

(3) An assessment of the impact, if any, to logistics and resource planning as a result of the reduction of certain capabilities of airfields in the United States that support both military and civilian air operations.

(4) A review of the existing agreements and authorities between the Commander of the United States Northern Command and the Administrator of the Federal Aviation Administration that allow for consultation on decisions that impact the capabilities of airfields in the United States that support both military and civilian air operations.

(c) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Homeland Security and Government Affairs, and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Armed Services, the Committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives.

(2) CAPABILITIES OF AIRFIELDS.—The term ''capabilities of airfields'' means the length and width of runways, taxiways, and aprons, the operation of navigation aids and lighting, the operation of fuel storage, distribution, and refueling systems, and the availability of air traffic control services.

(3) AIRFIELDS IN THE UNITED STATES THAT SUPPORT BOTH MILITARY AND CIVILIAN AIR OPERATIONS.—The term ''airfields in the United States that support both military and civilian air operations'' means the following:

(A) Airports that are designated as joint use facilities pursuant to section 47175 of title 49, United States Code, in which both the military and civil aviation have shared use of the airfield.

(B) Airports used by the military that have a permanent military aviation presence at the airport pursuant to a memorandum of agreement or tenant lease with the airport owner that is in effect on the date of the enactment of this Act.

AMENDMENT NO. 1739

(Purpose: To require a conflict of interest certification for Inspector General investigations relating to whistleblower retaliation)

At the appropriate place, insert the following:

SEC. ___. CONFLICT OF INTEREST CERTIFICATION FOR INVESTIGATIONS RELATING TO WHISTLEBLOWER RETALIATION.

(a) DEFINITION.—In this section—

(1) the term ''covered employee'' means a whistleblower who is an employee of the Department of Defense or a military department, or an employee of a contractor, subcontractor, grantee, or subgrantee thereof;

(2) the term ''covered investigation'' means an investigation carried out by an Inspector General of a military department or the Inspector General of the Department of Defense relating to—

(A) a retaliatory personnel action taken against a member of the Armed Forces under section 1034 of title 10, United States Code; or

(B) any retaliatory action taken against a covered employee; and

(3) the term ''military department'' means each of the departments described in section 104 of title 5, United States Code.

(b) CERTIFICATION REQUIREMENT.—

(1) IN GENERAL.—Each investigator involved in a covered investigation shall submit to the Inspector General of the Department of Defense or the Inspector General of the military department, as applicable, a certification that there was no conflict of interest between the investigator, any witness involved in the covered investigation, and the covered employee or member of the Armed Forces, as applicable, during the conduct of the covered investigation.

(2) STANDARDIZED FORM.—The Inspector General of the Department of Defense shall develop a standardized form to be used by each investigator to submit the certification required under paragraph (1).

(3) INVESTIGATIVE FILE.—Each certification submitted under paragraph (1) shall be included in the file of the applicable covered investigation.

AMENDMENT NO. 1744

(Purpose: To authorize the Secretary of Veterans Affairs to carry out certain major medical facility projects for which appropriations were made for fiscal year 2015)

At the end of subtitle G of title X, add the following:

SEC. 1085. AUTHORIZATION OF CERTAIN MAJOR MEDICAL FACILITY PROJECTS OF THE DEPARTMENT OF VETERANS AFFAIRS FOR WHICH AMOUNTS HAVE BEEN APPROPRIATED.

(a) FINDINGS.—Congress finds the following:

(1) The Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235) appropriated to the Department of Veterans Affairs—

(A) $35,000,000 to make seismic corrections to Building 205 in the West Los Angeles Medical Center of the Department in Los Angeles, California, which, according to the Department, is a building that is designated as having an exceptionally high risk of sustaining substantial damage or collapsing during an earthquake;

(B) $101,900,000 to replace the community living center and mental health facilities of the Department in Long Beach, California, which, according to the Department, are designated as having an exceptionally high risk of sustaining substantial damage or collapsing during an earthquake;

(C) $187,500,000 to replace the existing spinal cord injury clinic of the Department in San Diego, California, which, according to the Department, is designated as having an extremely high risk of sustaining major damage during an earthquake; and

(D) $122,400,000 to make renovations to address substantial safety and compliance issues at the medical center of the Department in Canandaigua, New York, and for the construction of a new clinic and community living center at such medical center.

(2) The Department is unable to obligate or expend the amounts described in paragraph (1) because it lacks an explicit authorization by an Act of Congress pursuant to section 8104(a)(2) of title 38, United States Code, to carry out the major medical facility projects described in such paragraph.

(3) Among the major medical facility projects described in paragraph (1), three are critical seismic safety projects in California.

(4) Every day that the critical seismic safety projects described in paragraph (3) are delayed puts the lives of veterans and employees of the Department at risk.

(5) According to the United States Geological Survey—

(A) California has a 99 percent chance or greater of experiencing an earthquake of magnitude 6.7 or greater in the next 30 years;

(B) even earthquakes of less severity than magnitude 6.7 can cause life threatening damage to seismically unsafe buildings; and

(C) in California, earthquakes of magnitude 6.0 or greater occur on average once every 1.2 years.

(b) AUTHORIZATION.—The Secretary of Veterans Affairs may carry out the major medical facility projects of the Department of Veterans Affairs specified in the explanatory statement accompanying the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235) at the locations and in the amounts specified in such explanatory statement, including by obligating and expending such amounts.

AMENDMENT NO. 1781

(Purpose: To improve the report on the strategy to protect United States national security interests in the Arctic region)

On page 528, line 14, insert after ''Arctic region'' the following: '', as well as among the Armed Forces''.

On page 528, line 23, insert after ''ture,'' the following: ''communications and domain awareness,''.

On page 529, line 5, insert before the period at the end the following: '', including by exploring opportunities for sharing installations and maintenance facilities''.

AMENDMENT NO. 1796

(Purpose: To express the sense of the Senate on finding efficiencies within the working capital fund activities of the Department of Defense)

At the end of subtitle A of title X, add the following:

SEC. 1005. SENSE OF SENATE ON FINDING EFFICIENCIES WITHIN THE WORKING CAPITAL FUND ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

It is the sense of the Senate that the Secretary of Defense should, through the military departments, continue to find efficiencies within the working capital fund activities of the Department of Defense with specific emphasis on optimizing the existing workload plans of such activities to ensure a strong organic industrial base workforce.

Mr. MCCAIN. Mr. President, I defer to my colleague from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina.

AMENDMENT NO. 1569

Mr. BURR. Mr. President, I call for regular order with respect to amendment No. 1569.

The PRESIDING OFFICER. The amendment is now pending.

AMENDMENT NO. 1921 TO AMENDMENT NO. 1569

(Purpose: To improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats)

Mr. BURR. I send a second-degree amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from North Carolina [Mr. BURR] proposes an amendment numbered 1921 to amendment No. 1569.

Mr. BURR. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. BURR. I yield the floor.

The PRESIDING OFFICER (Ms. AYOTTE). The Senator from Mississippi.

Mr. WICKER. Madam President, I rise in support of the national defense authorization bill and would point out to my colleagues that this is a piece of legislation which for half a century has enjoyed bipartisan support—during Republican administrations, Democratic administrations, and during times of majority on the Democratic side and on the Republican side.

Regrettably, last year this Chamber did not take up the NDAA until December—months after it had been approved in committee. I commend Senator Levin, the former chairman of the Armed Services Committee, for reporting the bill out of his committee during Democratic majorities, and if he had his way, we would have taken up the bill much earlier.

I also want to commend Senator MCCAIN, our current Republican chairman of the Armed Services Committee

for again, in a timely way, reporting this bipartisan bill. And then I think commendation is due to the new leadership of this Senate for taking up this bill in a timely fashion in June rather than waiting until December.

It has been said by the distinguished minority leader that taking up this bill is a waste of time because the President has said he would veto this bill. It is curious that he would say so because this bill funds national security at the amount requested by the President of the United States. I think to people out there listening in the public, it is curious the President would say ''I am going to veto a bill'' that actually funds security items at the administration's requested level.

I would also point out to my colleagues that this is not the first time the President has issued a veto threat. This happened on the Iran nuclear negotiations bill, where at first the President said: If the House and Senate send me such a bill, I will veto it. But the more we talked about it and the more we brought the American people into the discussion and the more the light was shown on the issue and the American public opinion began to be known, the more popular the idea became in the Senate Foreign Relations Committee.

At the end of the day, it was unanimous or virtually unanimous in the Foreign Relations Committee that the Senate and the House should be heard on the issue of any negotiations this administration has, as the Secretary of State might have with the Iranian leadership. At the end of the day, it passed overwhelmingly, and the President actually changed his mind. Having said he would veto that Iranian nuclear bill, he changed his mind and sent word that he would, in fact, sign it.

I hope the same thing will happen in this situation. I hope the President will rescind his veto threat and, after we have worked our will and after this bill has gone over to a conference committee with the House of Representatives and we have come up with a compromise between the House and the Senate, I hope the President will, in fact, change his mind and change his position as he did on the Iranian bill and sign it. I do not think it is a waste of time. I think it is critical that we do this.

It is often that we start off on a partisan basis. I have the highest regard for the ranking member of the Armed Services Committee. He and I served together in the House of Representatives. It has been my privilege to serve on the committee with the distinguished ranking member for some time. I think he would acknowledge that we started off the defense markup with all Republicans saying they were going to vote for it and with all Democrats saying they would be a ''no'' vote. But the more we got into that issue and the more Senator MCCAIN began to work with Members on both sides of the aisle and amendments were offered and debate was held, that opposition began to melt away.

At the end of the day, on this bill that is before us today, there were eight Democrats who voted aye in the committee and only four Democrats who voted no. As I recall, all of the Republicans on the committee voted yes. It was an overwhelmingly bipartisan support of something that started off dividing us, Republicans versus Democrats.

It is important that we continue to do that. The focus should be on our national security priorities. The focus should be on the troops. This bill funds the troops in a very meaningful and a very reform-oriented way. This is necessary under the current times.

I want to quote from an earlier Armed Services hearing we had, wherein Director of National Intelligence James Clapper warned the committee. I will quote the Director of National Intelligence. He said that ''unpredictable instability is the new normal.'' ''Unpredictable instability is the new normal.''

He pointed out that ''last year was the most lethal year for global terrorism in 45 years.'' It so happens that we have only been keeping statistics on the lethal degree of terrorism for 45 years. In the recorded 45-year history of keeping tabs on this, this is the most lethal year, this past year—tough times, dangerous times.

This was underscored by former Secretary of State Henry Kissinger, when he testified at a hearing before the committee earlier this year. He said that ''the United States has not faced a more diverse and complex array of crises since the end of the Second World War.''

This is a dangerous world. This is a dangerous time. We have a bill that addresses these times, and I think we should move forward with it. The Obama administration may be unwilling to admit that the world is less safe, but there is no denying the extraordinary challenges. I think Members on both sides of the aisle would acknowledge this: ISIS or ISIL, the newly resurgent and aggressive Russia and what they have done in invading Crimea and eastern Ukraine, the havoc across the Middle East in nations such as Yemen and Syria, nations that are collapsing into chaos. These are serious times.

Yet our President said, on the European Continent yesterday, that ''we don't have a complete strategy'' for dealing with ISIS in Iraq.

This is not a time to block resources our military needs. As a matter of fact, it is a time for us to act as Americans and not as partisans. There are several reasons why passing this bill this month should not be controversial:

First, it would authorize the same amount of funding as requested by the President.

Second, it contains one of the most substantive defense reforms we have seen in years. It would adopt $10 billion worth of efficiencies that would pave the way for long-term savings at the Department of Defense.

Third, the bill champions greater efficiency by reducing bureaucracy at the Pentagon and reforming the weapons acquisition system. Just because we need to spend more money for defense does not mean we need to spend more money to hire bureaucrats and staffers at the Pentagon.

Fourth, it is very important to point out the reforms in this bill make sure that the men and women who fight for our country, including those who are wounded or who have retired, have the quality of life, health care and support they deserve.

Fifth, this bill would modernize the military retirement system. Something that has been recommended to us by experts in the military and by retired military people. It would not only extend benefits to more servicemembers, but also give them more value. It would give our servicemembers more choice in their retirement system. Too many of our members are being excluded from the current system. Maintaining our All-Volunteer Force requires taking care of those who have chosen to serve.

Let me give a big shout-out and thank-you to Senator MAZIE HIRONO, my ranking member on the Seapower Subcommittee. We have worked closely in the Seapower mark of this legislation. As a matter of fact, I regret that Senator HIRONO and I could not do our two speeches on this bill together. That was our intent, for me to speak as chair and for her to speak as ranking member because we have cooperated so much in our Seapower title.

Our title in the bill addresses shortfalls in the Navy's ability to meet requirements. We have 30 ships and our Navy's amphibious fleet is much smaller than the Marine Corps tells us is required. Last year, the Chief of Naval Operations, ADM Jonathan Greenert, said that more like 50 ships are required if we want to do everything the military is being asked to do. We need to address this and at least move from 30 ships toward that goal of 50 that Admiral Greenert suggested.

This year's NDAA would authorize $199 million for an additional American-class amphibious assault ship as well as $80 million in research and development. This sends a powerful message to anyone who would be our adversary. These ships are known as the ''Swiss Army Knives'' of the sea because they are so versatile and because they respond to so many of the threats, including counterterrorism, piracy, combat missions, and humanitarian crises.

We also recognize the need to modernize our submarine fleet. Again, thank you to Senator HIRONO, the ranking member, for working with us on this. The Seapower Subcommittee is preparing for the eventual construction of the Ohio-class replacement submarine program. This is an expensive

program. It is necessary. It is expensive. We are about the business of providing the necessary funds to mitigate higher costs for the submarine program on our shipbuilding budget.

I am so pleased we addressed these Seapower needs. In addition, we do our best to meet the needs of the National Guard, to support a modern fleet for the Army, for mental health services for our troops and veterans, and the protection for our servicemembers' religious convictions. It is a comprehensive reform bill that ought to have the same sort of bipartisan support we have had for last 50 years.

We need a bill, in conclusion, that takes an honest look at our current challenges and implements necessary reforms. I am pleased to say this bill does so, and I hope we move forward, get past this moment of suiting up in a partisan fashion, and send this bill with an overwhelming vote from the U.S. Senate.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

YOUTH UNEMPLOYMENT

Mr. SANDERS. Madam President, it sometimes happens that issues of enormous consequence seem to be ignored and do not get anywhere near the discussion it requires. One such issue which needs to be put on the table that needs to be dealt with and needs to be resolved is the crisis of youth unemployment in America, in general, and specifically among Black and Hispanic youth.

Let me provide you with some new information that I recently received from the Economic Policy Institute, one of the important nonpartisan economic think tanks in our country. What this information tells us is that the level of youth unemployment in this country has reached tragic dimensions, and it is especially tragic for the African-American and Hispanic communities.

The Economic Policy Institute recently analyzed census data on unemployment among young people—those people who are either jobless, those people who have given up looking for work or those people who are working part time when they want to work full time; in other words, what real unemployment is about.

This is what they found. They found that during April of 2014 to March of 2015, the average real unemployment rate for Black high school graduates, ages 17 to 20, was 51.3 percent. Let me repeat. Over the last year, from April 2014 to March of 2015, the average real unemployment rate for Black high school graduates was 51.3 percent. The jobless figure for Hispanics in the same age group was 36.1 percent, and for young White high school graduates the number was 33.8 percent.

This is an issue which cannot be ignored. An entire generation of young people who are trying to get their lives together, trying to earn some money, and trying to become independent are unable to find work. This is an issue which must be dealt with. Even young Americans with a college degree are finding it increasingly difficult to get a job. The real unemployment rate for young Black college graduates between the ages of 21 and 24 was 23 percent, the figure for Hispanics was 22.4 percent, and the figure for Whites was 12.9 percent.

Today in America, over 5½ million young people have either dropped out of high school or have graduated high school and do not have jobs. It is no great secret that without work, without education, and without hope, people get into trouble, and the result is—and this is not unrelated—that tragically in America today we have more people in jail than any other country on Earth, including China, an authoritarian, Communist country with a population four times our size. How does that happen? How is it that this great Nation has more people in jail than any other country and far more than a Communist, authoritarian society in China, a country that is four times our size?

Today, the United States is 5 percent of the world's population; yet, we have 25 percent of the world's prisoners. Incredibly, over 3 percent of our country's population is under some form of correctional control. According to the NAACP, from 1980 to 2008, the number of people incarcerated in America quadrupled from roughly half a million to 2.3 million people. If current trends continue, the estimate is that one in three Black males born today can expect to spend time in prison during his lifetime.

This is an unspeakable tragedy. This is an issue which has to be put on the table and has to be discussed. And this crisis is not just a destruction of human life, it is also a very costly issue to the taxpayers of our country. In America, we now spend nearly $200 billion a year on public safety, including $70 billion on correctional facilities each and every year.

It is beyond comprehension that we as a nation have not focused attention on the fact that millions of our young people are unable to find work or begin their careers in a productive economy. This is an issue which we must deal with—and I know I speak for the Senator from Michigan—and we will make sure this country pays attention to and deals with this issue.

Let me just say that it makes a lot more sense to invest in jobs and education for our young people than to spend incredible amounts of money on jails and incarceration. Let's give these kids a shot at life. Let's give them a chance. Let's not lock them up.

The time is long overdue for us to start investing in our young people, to help them get the jobs they need, the education they need, and the job training they need so they can be part of the American middle class.

The answer to unemployment and poverty is not and cannot be the mass incarceration of young Americans of all races. It is time to bring hope and economic opportunity to communities throughout this country.

Last week, I introduced legislation with Congressman JOHN CONYERS and Senator DEBBIE STABENOW to provide $5½ billion to immediately begin funding States and localities throughout this country to employ 1 million young people between the ages of 16 and 24 and provide job training to hundreds of thousands of young Americans.

Some people may say: Well, this is an expensive proposition.

I guarantee that this investment will save money because it costs a heck of a lot more money to put people in jail than to provide them with jobs and education. We will save lives and create taxpayers and a middle class rather than having more and more people in jail.

I just wanted to mention that this is an issue which has to be discussed. I look forward to working with the cosponsor of this legislation, Senator STABENOW, and we will bring attention to this issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, before the Senator from Vermont leaves, I have to say that I am very proud to be a partner with him on this legislation and how critically important it is that we give young people the opportunity to have a job. On the last immigration bill, we were able to add dollars to the bill, which helped to create funding for young people. Youth unemployment is a huge issue, and we need to give them a path forward on jobs, hope, and economic opportunity. I again thank the Senator from Vermont.

Madam President, I also have to say I am very disappointed that Senator REED's amendment was not successful. Unfortunately, it was voted down today on a partisan vote. We all know there are way too many budget gimmicks in this authorization, as important as it is, and what we ought to be doing is making sure all of the security needs of our families—not just those at the Department of Defense but those in other parts of the budget have the adequate resources they need so their families are truly safe.

HIGHWAY TRUST FUND

I wish to speak specifically about another piece of legislation which will help to ensure our safety, and that is economic safety and security. This is something which also deserves our time and attention, and time is running out right now. We have 52 days before the highway trust fund will be empty, shut down; 52 days and we have not yet done even one hearing in the Finance Committee. I respectfully ask that our chairman, for whom I have tremendous respect, have hearings and discussions so we can work together and talk about how we are going to fund this bill. We have not yet seen legislation on the floor that will allow us

to move forward on a long-term funding bill for economic security.

Our Republican colleagues need to join with us and provide leadership on this issue which affects millions of jobs and, frankly, affects every single American. There was a time when Republicans were the leaders of building our roads, bridges, airports, railroads, and all of our infrastructure, and that came in the form of President Eisenhower, who said in 1952 that ''a network of modern roads is as necessary to defense as it is to our national economy and our personal safety.''

We are on the floor talking about legislation to authorize moving forward to support our troops and making sure we are authorizing programs for our national defense. Yet, in 1952 President Eisenhower said that ''a network of modern roads is as necessary to our defense as it is to our national economy and our own personal safety.'' But in only 52 days, there will be zero in our Nation's highway trust fund.

By the late 1950s, our interstate highways were responsible for 31 percent of the annual economic growth of our country—an economic engine of our country. Thanks to President Eisenhower's leadership, our roads in the mid-20th century were the envy of the world. Now we see other countries that want to be like America—a global economic power—and they are rushing to invest in their roads, bridges, airports, railroads, and other infrastructure, countries such as China and Brazil.

China is taking 9 percent of their GDP and using it to invest in jobs, and those things that will allow them to create jobs and be a world economic power. They are wooing businesses there because they have the most modern infrastructure, and frankly, we are playing catchup. There is absolutely no reason that should be happening.

Our European competitors spend twice what we do on transportation and funding for critical roads and bridges and other transportation needs. The Chinese Government spends four times what we are spending right now.

The World Economic Forum's ''Global Competitiveness Report'' for 2014 and 2015 ranks America 16th in the quality of roads. We are one spot behind Luxembourg and one spot just ahead of Croatia. Can you imagine? Yay. We are just ahead of Croatia in investing in the future in transportation technology and safety for our roads, bridges, and airports—all of those things which create economic security and, in the words of President Eisenhower, national security.

The World Economic Forum has its own rankings. In 2002, America had the fifth best transportation system in the world. In their most recent rankings, we were 24th.

The American Society of Civil Engineers' most recent report card for America's infrastructure—our transportation, roads and bridges—gave us a D on our roads. I don't think any of us would be happy if our children brought home a report card that had a D on it; yet, that is what we are now seeing in Congress. The report card that we are presenting to the American people has a D on it. It says that 42 percent of major urban highways are congested and that it costs over $101 billion in wasted time and fuel every year.

One of my constituents recently told me that he hit a pothole on the way to the Detroit Metro Airport, and he had to replace all four tires on his car. He actually went through seven tires in 1 year. That is a lot of money; that is a lot of tires. He went through seven tires in 1 year because of the bad roads in Michigan.

The average Michigan resident spends $357 a year on repairing the damage to their automobiles caused by broken roads. That is more than twice the amount that average people pay in taxes to go to improving our roads and bridges. It is more than twice what it would take to actually fix our roads and bridges and actually be able to move forward. It is not fair. It is not fair to neglect responsibility to maintain our Nation's basic roads and bridges and other infrastructure and let the American people pay for that neglect, which is exactly what is happening.

We can't expect our workers and our companies to compete in the 21st-century global marketplace if they are forced to use 20th-century roads and bridges, and we are on our way to the 19th century. Some places are so crumbled up, we are going from pavement back to the dirt underneath it. It is crazy, and there is no excuse for it.

Every time we pass a short-term patch that goes 1 or 2 or 6 months down the road, we let our workers, businesses, and our families down. Congress needs to step up. We are ready, and we are looking for Republican partners to join with us in a long-term solution. The majority needs to step up.

We have 52 days and counting until the highway trust fund is empty—at zero. We shouldn't see the majority kick the can down the road again or come up with some kind of short-term suggestion or crazy things such as cutting people's pensions to pay for roads and bridges. Together, we need to do what the American people expect us to do and sit down and do what has been done over the course of history in the United States: Fund a long-term transportation bill that moves us forward in our economy, jobs, and creates the kind of competitive edge we have traditionally had in the United States.

A grade of D on roads is an embarrassment. We need our Republican majority to step up with us, because we are waiting. We are anxious to put together a long-term strategy on funding for our roads and bridges. This is pretty basic when we look at the responsibilities that Congress has on behalf of the American people—maintaining airports, railroads, short rail for agriculture, as well as our long distance rail, roads, bridges, and all of the other things that comprise the basic format. We are 52 days away from the highway trust fund going empty.

Let's get busy. It is time to make sure we are doing the right thing in moving the country forward.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. I ask unanimous consent to speak as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

GASPEE DAYS

Mr. WHITEHOUSE. Madam President, I am here on the floor today to celebrate a significant event in our country's history and in Rhode Island. Every student of American history knows the story of the Boston Tea Party. We all learned about Samuel Adams and the Sons of Liberty dumping chests of tea into Boston Harbor to protest British taxation without representation.

What many students don't know is that down in Rhode Island, more than a year earlier, a group of Rhode Island patriots made an even harsher challenge to the British Empire one dark night in June of 1772. I am here to tell their story.

The episode began when amid growing tensions with colonists, King George III moved the HMS *Gaspee*, an armed British customs vessel, into Rhode Island's Narragansett Bay. The *Gaspee* and its captain, Lieutenant William Dudingston, were known for seizing cargo and flagging down ships only to harass, humiliate, and interrogate the colonials. As Nick Bunker, author of the book ''An Empire on the Edge'' wrote, this harassment did not sit well with Rhode Islanders, who had grown accustomed to a level of freedom unique in that time. ''Even by American standards, Rhode Island was an extreme case of popular government.''

The chapter in his book in which he describes this is entitled '' 'This Dark Affair': The *Gaspee* Incident.'' Bunker went on to say: ''Out of all the colonies, Rhode Island was the one where the ocean entered most deeply into the lives of the people.'' And we wanted it free.

In July of 1663, over 100 years before the *Gaspee* incident, King Charles II had granted a royal charter establishing the colony of Rhode Island and Providence Plantations in New England. And the charter said it was ''to hold forth a lively experiment . . . that a most flourishing civil state may stand and best be maintained with full liberty in religious concernments.''

The ''lively experiment'' in Rhode Island blazed the path for American freedom of religion, a fundamental right of

our great Nation. In Rhode Island, what were then considered radical ideologies of freedom ran very deep. A century later, William Dudingston would learn just how deep, as he went about harassing American vessels and confiscating their cargo. ''The British Armed Forces have come to regard almost every local merchant as a smuggler and a cheat,'' Bunker wrote. Rhode Islanders were fed up with the abuse. Something was bound to give.

In March of 1772, local seamen and traders led by John Brown signed a petition against the *Gaspee*. They brought it to Rhode Island Chief Justice Stephen Hopkins, a political leader in Providence and a relentless advocate for liberty.

Nick Bunker wrote:

For Brown and Hopkins, the only law they recognized was theirs, laid down by their assembly and their local courts. They saw no role in Rhode Island for the English laws that gave the navy its authority.

This is in 1772. Chief Justice Hopkins provided a legal opinion saying that British officers needed to present their orders and commission to Rhode Island's Governor before entering local waters. Well, Dudingston refused and, indeed, threatened to hang ''any man who tried to oppose the *Gaspee*.''

So the fuse was lit. It all came to a head on June 9, 1772. Rhode Island Captain Benjamin Lindsey was sailing to Providence from Newport in his ship, the *Hannah*. He was accosted and ordered to yield for inspection by the *Gaspee*. Well, Captain Lindsey refused. He raced up Narragansett Bay, despite warning shots fired at the *Hannah*.

The *Gaspee* gave chase and Captain Lindsey, who knew the waters of Rhode Island far better than did Dudingston, steered his ship north toward Pawtuxet Cove in Warwick, right over the shallow waters of Namquid Point. There, the lighter *Hannah* shot over the shallows, but the heavier *Gaspee* ran aground and stuck firm.

The British ship and her crew were caught, stranded in a falling tide. They would need to wait many hours for a rising tied to free them again. According to Nick Bunker, as night fell, the *Gaspee* crew turned in, leaving only one seaman on the deck. Spotting an irresponsible opportunity, Captain Lindsey sailed on to Providence. There he enlisted the help of John Brown, the respected merchant and statesman who had led that petition against the *Gaspee* back in March.

Brown was from one of the most prominent families in the city. He ultimately helped found what we know today as Brown University. Brown and Lindsey rallied a group of Rhode Island patriots at Sabin's Tavern, down in what is now the East Side of Providence, along the waterfront. Refreshments, no doubt, were served. Refreshed or not, the group resolved to end the *Gaspee*'s menace in Rhode Island waters. That night, those raiders, led by what Nick Bunker called the ''maritime elite of Providence,'' set out with blackened faces, in long boots, and rowed down the bay with their oars muffled to avoid detection. They made their way to the stranded *Gaspee* and surrounded it.

As Daniel Harrington recounted in a recent op-ed that he wrote in the Providence Journal, ''Capt. Abraham Whipple spoke first for the Rhode Islanders, summoning Dudingston: 'I am sheriff of Kent county, [expletive]. I have a warrant to apprehend you, [expletive]; so surrender, [expletive].' It was a classic Rhode Island greeting!''

I ask unanimous consent that Mr. Harrington's article be printed in the RECORD at the conclusion of my remarks.

Lieutenant Dudingston, of course, refused Whipple's demand, and instead ordered his men to fire upon anyone who attempted to board the *Gaspee*. The Rhode Islanders saw their advantage. They outnumbered the British, and they swarmed on the *Gaspee*. Shots rang out in the dark. Lieutenant Dudingston fell wounded in the arm and the thigh. That night in the waters off Warwick, RI, the very first blood in the conflict that was to become the American Revolution was drawn by American arms—a little bit more than just tea over the side into Boston Harbor.

As the patriots commandeered the ship, Brown ordered one of his Rhode Islanders, a physician named John Mawney, to tend to Dudingston's wounds. Mawney was an able doctor and saved the lieutenant. Brown and Whipple took the captive English crew ashore, and then they returned to the despised *Gaspee* to rid Narragansett Bay of her detested presence once and for all. They set her afire. The blaze spread, reaching the ship's charges of gunpowder and cannons, setting off explosions like fireworks.

Ultimately, the flames reached the *Gaspee*'s powder magazine, and the resulting blast echoed across Narragansett Bay, as airborne fragments of the *Gaspee* splashed down into the water beneath a moonless sky. Nick Bunker wrote that the British had never seen anything quite like the *Gaspee* affair. Their attack on the ship amounted to a complete rejection of the empire's right to rule.

According to Dan Harrington's op-ed, King George III was furious and offered huge rewards for the capture of the rebels. Inquiries were made and nooses fashioned. But in the end, not one name was produced, as thousands of Rhode Islanders remained true to silence. The site of this historic victory is now named *Gaspee* Point in honor of this incident and the audacious Rhode Islanders who accomplished it.

According to Bunker, the Rhode Island patriots successfully organized ''a military operation 3 years ahead of its time, that arose not merely from a private quarrel but also a matrix of ideas''—the ideas of liberty. Rhode Islanders have made a tradition of celebrating the *Gaspee* incident. This year marks the 50th annual *Gaspee* Days celebration in Warwick. Over the years, we celebrate by marching in the annual parade, as we recall the courage of the men who fired the first shots and drew the first blood in the quest for American independence.

I would like to thank the *Gaspee* Days Committee for their continuing efforts to host this annual celebration and my friend, State Representative Joe McNamara, for his work each year in making this event so special. I come to the floor every year at this time to speak about the burning of the *Gaspee*, because as proud as I am of what those brave Rhode Islanders did back in 1772, I am also disappointed that their story has largely been lost to history outside our little State.

I hope these speeches will help new generations to learn about this important American event. In Rhode Island, of course, we will never forget. As Mr. Harrington wrote in his piece in the Providence Journal, ''Through the ages, noble Rhode Islanders have named their daughters Hannah in honor of the ship that long ago led a fledgling young country toward independence and helped create the finest nation ever born of man.''

I yield the floor.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Providence Journal, June 2, 2015]

THE GASPEE, THE HERO AND THE DUD

(By Daniel F. Harrington)

Every story needs a good villain, and 243 years ago the British dropped a big one on us. His name was Dudingston. His job? Preventing piracy on Narragansett Bay—or, in layman's terms, shaking down every merchant he could catch.

Lt. William Dudingston, 31, and his dreaded ship the HMS Gaspee arbitrarily halted and often seized the cargo of Rhode Island ships at will. And he did it all in the name of taxation. Think of him as an Internal Revenue Service agent and mob boss rolled into one.

He wore a gold-trimmed cap and had a proclivity for rum.

The governor of Rhode Island repeatedly challenged the Crown to check the lieutenant's brazen misbehavior, but his requests were largely ignored. So on Dudingston went.

Until he met our heroes.

The first was Capt. Benjamin Lindsey, who skippered a sloop called the Hannah. He had had enough. Returning from New York on June 9, 1772, he was greeted in Newport with cannon fire from the Gaspee after refusing Dudingston's command to strike his flag. Then, trusting ''the Dud'' knew more about extortion than navigation, Lindsey led him on a four-hour chase up Narragansett Bay. It was the Dud's guns versus Lindsey's guts.

Lindsey skillfully piloted his ship toward Pawtuxet Cove and specifically to a menacing sandbar, trusting the heavy Gaspee and its rum-fueled captain would run aground.

They did!

But Lindsey didn't stop there. He sailed north to Providence and informed fellow merchant John Brown about the sitting Dud. At dusk, Brown sent a town crier through the streets of Providence and assembled a raiding party of tavern-friendly professional men.

Rowing to the doomed ship in long boats, the Patriots reached the Gaspee around midnight.

Capt. Abraham Whipple spoke first for the Rhode Islanders, summoning Dudingston: ''I am sheriff of Kent county, Goddamn you. I have a warrant to apprehend you, Goddamn you; so surrender, Goddamn you.'' It was a classic Rhode Island greeting!

Then a shot rang out. Dudingston fell when a ball hit him five inches below his navel. ''Good God, I am done for!'' he cried.

And then a miracle.

As the Dud lay bleeding to death, a raider stepped forward. It was 21–year-old physician—and genius—John Mawney, who performed life-saving surgery on him. Astonished, Dudingston then offered the doctor a gold buckle. Mawney refused it, but accepted a silver one.

The Rhode Islanders then set the Gaspee aflame and the warship exploded, lighting up Narragansett Bay as never before—or since.

King George III was furious and offered huge rewards for the capture of the rebels. Inquiries were made and nooses fashioned, but in the end, not one name was produced, as thousands of Rhode Islanders remained true to silence.

The burning of the Gaspee steeled the resolve of all the colonies and inspired the Boston Tea Party 18 months later. In 1922, The New York Times memorably editorialized that the boldness of the Gaspee incident made The Boston Tea Party look, by comparison, like a tea party!

Meanwhile, back in Britain, Dudingston would survive court martial for losing his ship, receive a disability pension and live another 45 years and become a rear admiral.

One man remains lost to history.

No one knows what happened to America's first hero, Captain Lindsey. The most wanted man in the world quickly disappeared and dissolved into time. We've never found his resting place—probably because he was buried at sea. So he eludes us still, although some say you can still hear him rousing the Hannah when the fog of Narragansett Bay is unusually thick . . .

Not all have forgotten. Through the ages, noble Rhode Islanders have named their daughters Hannah in honor of the ship that long ago led a fledgling young country toward independence and helped create the finest nation ever born of man. And her name is still sweet, for it echoes the refrain of liberty and recalls the powerful truth that ''God hath chosen the weak things of the world to confound the things that are mighty.''

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Madam President, we are hopefully going to be able to vote very shortly on an amendment to the NDAA that I have submitted, No. 1901, which speaks to a pretty simple concept that when we spend taxpayer money and 70 percent of the goods that we purchase with taxpayer dollars come through the Defense Department, we should be spending that money on American companies.

We should be using our resources as a nation to purchase things from companies here in the United States. That has been the law on the books since the 1930s. The Buy America Act, for economic and national security reasons, directs the U.S. Government to buy at least 50 percent of the components of any good from U.S. companies. The problem is that over time, loophole after loophole and exception after exception have been built into the Buy America Act, such that today the exceptions really are the rule.

The consequences are pretty dire for American workers. It means that thousands, tens of thousands, hundreds of thousands of workers have lost their job because work that should have gone to American companies to build components for jet engines, tanks, and submarines are going overseas. But for our national security, we also are faced with issues as well, given the fact that as our supply chain becomes much more internationalized, we are relying on countries that today might be our allies to supply parts but that tomorrow might not. It puts us at risk potentially down the line.

So I am proposing a pretty simple amendment here, which is really just about sunlight. I had previously hoped to push an amendment that would have actually cut down on one of the waivers that is the most egregious. But I am hoping for a consensus on an amendment that would just make clear that we have to get some more information about some of the worst loopholes to the ''Buy American'' law. The worst of them, and, in fact, the majority of the waivers for the Buy American Act come through one specific waiver.

There are about eight ways to get around buying things in the United States for the U.S. military. But one of them is that if you can prove that the usage of the good is going to be primarily overseas, you can buy that good overseas. Now, that is an understandable exception if you are talking about the purchase of something such as fuel or food that simply does not make sense to import from the United States. But because there is really no oversight at all on this waiver and because over the last 10 years, having fought two wars in Afghanistan and Iraq, this relatively small loophole, as it appears on the written page, has become an enormous loophole.

So $17 billion in goods were made overseas, and in 2014, 83 percent of them were done through this particular ''Buy America'' loophole. So I want to just talk for a second about what some of these waivers are being used to purchase. This is an Opel light-duty cargo van that has been purchased by the U.S. military for a variety of activities. This was not an emergency expenditure. Very clearly, you are buying this van for activities that you can plan for. It is not something that you could not import from the United States.

This contract, which was entered into at the height of the auto crisis, was $2.9 million in total—$2.9 million that went to a foreign auto company instead of going to a company in the United States. This is clearly something—a cargo van—not being used on the frontlines of our wars in Iraq and Afghanistan that could have been bought from an American auto company. Ford, Chevrolet, and Chrysler make versions of this van that are produced by American workers.

There were $39 million worth of waivers for jet engines and gas turbines. There was $28 million worth of waivers simply for men's clothing. There were $11 million of waivers that were used for shoes, for men's footwear. So it is clear that these waivers are being used not for goods that are urgently needed in the field that had to be purchased in a place such as Afghanistan or Iraq or in the region but simply to avoid the ''Buy American'' law.

I want to amend my previous statement. It was not $17 billion in goods that were bought from foreign firms, it was $176 billion in manufactured goods that were bought—and services—from foreign firms. So if it were up to me, we would tighten this loophole. We would bring billions of dollars of work back to the United States simply by saying that you have to have an urgent national security need in order to buy the good overseas.

But if it is not urgent, if you are just buying some vans to cart around equipment or people, then you should buy them from the United States. But amendment No. 1901 is a little bit simpler, in that it just requires that we continue to get reports from the Department of Defense detailing the waivers that they have been granted for the ''Buy American'' law, so that we have a pretty good idea as to how much work we have lost to foreign firms, how many U.S. workers have lost their jobs because taxpayer dollars are going overseas.

It adds a little new wrinkle to these reports so that when it comes to these waivers, the waiver for goods that are primarily used overseas, which was 83 percent in 2014 of all of the waivers that were granted, we get a little bit more information so that for waivers for contracts over $5 million—these are pretty big contracts—we know what you are buying, why you need it, and why you are required to buy it overseas.

I think that this information is just sunlight on the waiver process. Again, a waiver process which is sending overseas $176 billion worth of American taxpayer paid-for jobs should have more information so that we can make decisions. It is funny, when I talk to my constituents and I tell them that I am fighting for the ''Buy American'' law and that I am fighting to make sure that at least 50 percent of their dollars get spent to buy things from American companies when they are used by the U.S. military, they have a bewildered look on their face because they assume that is the policy of the U.S. Government to begin with.

Why on Earth would our taxpayer dollars be used to buy things overseas?

There are some commonsense reasons why that happens. Obviously, as I said, when you are buying something like food or fuel for the military's use in Afghanistan or in Iraq, it makes sense to buy that overseas. If you can't find it

in the United States, if there is not a single contractor that makes what you are looking for in the United States, then, by all means, you are going to have to buy that overseas. If there is such a price differential, such an enormous price differential that it is a waste of taxpayer dollars to buy it from American companies—and, frankly, those are fairly minute exceptions—then it makes sense to do a workaround on the ''Buy American'' law.

But we have seen hundreds of billions of dollars in waivers, waivers that are being used for reasons that you just can't justify but also through a process that includes really no oversight. On that waiver that allows for goods to be purchased overseas when you can't find it in the United States, there are examples where a simple Google search could have found the item in the United States, but a waiver was still signed, allowing it to be bought overseas because it wasn't available here—just no oversight, making sure we are only giving these waivers in the right circumstances.

I have talked a number of times on this floor about a company that folded up shop in Waterbury, CT, a legacy company in the Naugatuck Valley, Ansonia Copper & Brass. It made the copper nickel tubing for the American submarine fleet. It was the only company in the United States that made this particular item.

It is out of business today because of the loopholes in the ''Buy American'' law. We are now buying our copper nickel tubing from a foreign company. Now, that put dozens of people out of work in Connecticut, but it also put in jeopardy our national security. If the supplier of this copper nickel tubing, which is not something you can make easily—it requires incredible expertise, complicated machinery. If the country we are getting it from today decides they are not going to supply it to us because they oppose the way in which we are using it, we can't make it in the United States any longer. You can't just reassemble the ability to make that particular good, complicated tubing that goes inside one of the most complicated pieces of machinery in the U.S. Navy, a submarine. You can't just do that overnight. So at the very least, we should be getting all of the information we need to do proper oversight on this process of granting waivers.

I have been pleased at the willingness of Chairman MCCAIN and his staff, along with the ranking member Senator REED, to work with us on this amendment, this sunlight amendment, this disclosure amendment. Hopefully, over the course of today or tomorrow, we will be able to include this in one of the managers' packages that we adopt on the Senate floor, and it will allow us to have a more robust conversation as to why on Earth we spent U.S. taxpayer dollars on this van, when $3 million—at the height of the auto crisis—could have gone to an American company making a similar vehicle. That is a conversation that on behalf of the literally hundreds of thousands of American workers who don't have jobs today because we are spending taxpayer dollars overseas—for their sake, they deserve for us to have that debate.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GARDNER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASSIDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. CASSIDY and Ms. COLLINS pertaining to the introduction of S. 1531 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

MORNING BUSINESS

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Louisiana.

PATIENT FREEDOM ACT

Mr. CASSIDY. I wish to say briefly that I thank Senator COLLINS for her thoughtful review of the Patient Freedom Act, who after our office has probably reviewed it the most and made several substantial changes that have made it better. I also thank her for her speech, which was a very thoughtful critique of why we are replacing ObamaCare—not because it is the President's bill but because of things that she described, where people have an incentive not to earn more money and a penalty if they do, which goes against the American values that if you work hard you can be more successful.

It should not be that the Federal Government is discouraging that. I thank her for her thoughtful speech, her thoughtful comments, and her great input into the final product.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

EXPORT OF AMERICAN LIQUEFIED NATURAL GAS

Mr. BARRASSO. Mr. President, for years, we have witnessed Vladimir Putin, the President of Russia, wreak havoc across Europe. Putin has invaded and carved up free, independent, and democratic countries, such as Georgia and Ukraine. He has bullied our friends in the European Union. He has intimidated our allies in the North Atlantic Treaty Organization, NATO. A principal weapon of Putin's has been Russia's energy supplies—specifically, natural gas. Putin has used Russia's natural gas to extort, to threaten, and to coerce our allies and our partners. He has repeatedly shut off natural gas supplies to Ukraine and has retaliated against countries that have come to Ukraine's aid.

So 21 countries—21 countries—import more than 40 percent of their natural gas from Russia. Of these 21 nations, 13 are members of NATO and 5 of these NATO members import nearly 100 percent of their gas from Russia.

I recently returned from Eastern Europe. Our NATO allies and European partners are desperate to find alternative sources of natural gas. They are seeking to develop their own natural gas resources. But amazingly, Putin is funding activists who oppose hydraulic fracturing in Europe.

It is clear that Putin wants to keep our NATO allies dependent on Russian energy. Our NATO allies have publicly called on Congress to help them access America's natural gas. We can do that by adopting my amendment, No. 1582. My amendment would help countries such as Ukraine, our NATO allies, and others access America's vast supplies of natural gas. Specifically, it would ensure that the Secretary of Energy makes timely decisions on applications to export Liquefied Natural Gas, or LNG.

Under current law, exports of LNG to countries such as our NATO allies are presumed to be in the public interest, unless the Secretary finds otherwise. But over the last several years, the Secretary's decisionmaking process has been, at best, unpredictable. My amendment would fix that. Specifically, my amendment would require the Secretary to approve or disapprove LNG export applications within 45 days after the environmental review process is complete.

My amendment would ensure that legal challenges to LNG export projects are resolved expeditiously. It would also require exporters to publicly disclose the countries to which LNG has been delivered.

In January of this year, the energy committee held a hearing on legislation that is identical to my amendment. At that hearing, the Department of Energy testified that my legislation is ''a solution we will be able to comply with.''

I am encouraged by DOD's support for this legislation. I am also encouraged by the support of the National Association of Manufacturers and others who testified that LNG exports would create thousands of jobs across America and help reduce our Nation's trade deficit.

The United States is the world's largest producer of natural gas. We have more than enough natural gas to meet our own needs and use our gas to bring about positive change throughout the world.

Do not take my word for it. Listen to what the Obama administration had to say. In February of this year, President Obama's Council of Economic Advisers stated that ''an increase in U.S. exports of natural gas . . . would have a number of mostly beneficial effects on . . . employment, U.S. geopolitical security, and the environment.''

The President's economic advisers said that LNG exports would create tens of thousands of jobs in the United States, jobs that ''would arise . . . in natural gas production[,] manufacturing [and] a range of sectors, including . . . infrastructure investment, and transportation.''

The President's economic advisers also stated that U.S. LNG exports would have ''a positive geopolitical impact for the United States.'' Specifically, they explained that U.S. LNG ''builds liquidity in the global natural gas market, and reduces European dependence on the current primary suppliers, Russia and Iran.''

Again, these are not my words. This is from the White House.

Mr. President, Congress has a choice: We can watch Putin use natural gas as a weapon against our allies and partners or we can take a meaningful step to help our friends.

My amendment boosts the security of our NATO allies and friends around the world, and it does so through a peaceful means. It doesn't spend American tax dollars and all the while will help to grow America's economy. It is a commonsense amendment, and I ask all of the Members to support it.

I thank the Presiding Officer.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

SRI LANKA

Mr. LEAHY. Mr. President, I want to speak briefly about recent developments in Sri Lanka where the new government of President Maithrapala Sirisena has taken several important and encouraging steps to promote good governance, human rights, and reconciliation since his election on January 8.

Among the government's initial accomplishments are the adoption of the 19th Amendment to the Constitution, which curtails the extensive powers enjoyed by the executive and vests more power in the Parliament, limits the Presidential term to 5 years instead of 6, allows the President to hold office only for two terms instead of an unlimited number of terms, and provides for a Constitutional Council to make appointments to independent commissions on the judiciary, police, public service, elections, and audit, instead of the President as was previously the case. In addition, the right to information has been included as a fundamental right in the Constitution.

Sri Lanka's Foreign Minister Mangala Samaraweera has wisely called the attention of the Parliament to the need to review the individuals and entities that were listed under a U.N. regulation pursuant to U.N. Security Council Resolution 1373, adopted shortly after the 9/11 attacks. The regulation was used to ban several Tamil diaspora groups for their alleged links to the LTTE. However, the new government reportedly believes that some individuals and organizations may have been wrongly accused of terrorist links when they were merely advocating in support of their rights. The government intends to review the list in the interest of reconciliation and reaffirming its commitment to freedom of expression.

I am also encouraged that the government has revived its relationship with the United Nations, including with the U.N. Human Rights Council, and has invited the U.N. High Commissioner for Human Rights to visit Sri Lanka. I hope such a visit takes place soon.

The Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence visited Sri Lanka in March-April 2015, and I understand that the Working Group on Enforced and Involuntary Disappearances will visit Sri Lanka in August.

For years, impunity for serious crimes has been the norm in Sri Lanka. The government is working to establish what it describes as a ''domestic mechanism'' to deal with accountability for human rights violations. A purely domestic mechanism, however, is not likely to be sufficient. The Sri Lankan people, the United States and other governments, the United Nations, and international human rights groups have long called for justice for the victims of atrocities committed by the armed forces and the LTTE during the 30-year conflict. It is essential that the justice process is not only about truth telling, but is a credible, independent mechanism with authority to investigate, prosecute, and appropriately punish those responsible for war crimes and crimes against humanity, on both sides.

It is also important to the development of a credible accountability mechanism and to the success of this endeavor that Sri Lankan officials consult with local civil society organizations, including the families of the war's victims. They should also invite international bodies, such as the Office of the U.N. High Commissioner for Human Rights, to take part in this process, to provide technical assistance as well as substantive input and help with prosecutorial work, evidence-gathering, and judicial decision-making. A hybrid mechanism, with international experts involved at the prosecutorial and judicial level, will help ensure that the failings and cynicism associated with past domestic accountability mechanisms are not repeated.

I am told that the government intends to work with humanitarian organizations on the issue of missing persons, including forensics, and to resolve the cases of remaining detainees. The United States and other international groups could assist this important humanitarian effort.

Under the government of former President Mahinda Rajapaksa, Armed Forces day was ''Victory Day'', a divisive, provocative celebration for the Sinhalese majority. President Sirisena, in his Armed Forces Day speech on May 19, said the policy of the new government will be ''development and reconciliation'', making clear the government's recognition that development projects alone will not heal the wounds and scars of the past. He also affirmed that the reconciliation process must involve truth seeking, justice, eliminating fear and suspicion among all communities and building trust among them, as well as the rebuilding of infrastructure. He expressed confidence that the Armed Forces would now dedicate themselves to the government's policy on reconciliation.

The return of land in the north and east currently occupied by the Armed Forces, and the resettlement of Tamils displaced by the war and the provision of basic services, is an urgent necessity. Some land in the east that had been allocated by the previous government for infrastructure projects has been released by President Sirisena for the resettlement of the displaced, and a small amount of land in the north has been provided to civilians who were uprooted by the war. But this is only a beginning. Sri Lanka is at peace, so it is time for the Armed Forces to return land, support the resettlement of families, and focus on external threats rather than domestic policing.

Unlike the previous government which vilified its critics and locked up after sham trials journalists who exposed corruption, President Sirisena has taken steps to reaffirm freedom of the press by unblocking media websites, inviting exiled journalists to return to the country, and ensuring freedom of expression for the media to operate without fear of reprisal.

Under the previous government, Sri Lanka's judicial system was politicized, manipulated, and corrupted. The new government is taking steps to reestablish the independence of the judiciary, which is fundamental to any democracy. Also significant was the appointment of the Chief Justice who is from the minority Tamil community immediately after the election of the new government.

The government has committed to fight corruption and ensure accountability for financial crimes even for the

most influential and powerful individuals, to end impunity at any level. It has established a Stolen Assets Recovery Task Force for this purpose. The United States is prepared to assist these efforts and those of civil society to combat corruption.

These are very encouraging steps for which we should commend President Sirisena. They should have been carried out by the previous government, but instead former President Rajapaksa and his brothers Basil and Gotabhaya, and their close associates, sought to dismantle the institutions of democracy, subvert the rule of law, and enrich themselves. Rather than support reconciliation, they encouraged corruption and exacerbated ethnic, religious, and political divisions.

Of course, these are only first steps, and there have been others that raise questions about the government's intentions. For example, MG Jagath Dias, who was appointed the new Army Chief of Staff, commanded a regiment that took part in the final battles of the war that were marked by widespread abuses including summary executions of prisoners and in which countless civilians died, reportedly from government artillery shelling. If the Sri Lankan government is serious about addressing the crimes of the past it will need to take up allegations against senior officers like General Dias. Failing to address the role of senior military commanders, in particular those who still serve, would seriously weaken the government's credibility.

Most immediately, the government's challenge is to hold parliamentary elections as soon as possible. Once a new Parliament is in place the processes of reconciliation, reconstruction, reform, and accountability can proceed apace.

After the elections, President Sirisena's government will need to work closely with the United Nations on plans to address the legacy of past abuses. The U.N. Human Rights Council is expected to take up this issue in its September session in Geneva. Thus, the Office of the U.N. High Commissioner for Human Rights needs to release its report before then, as called for by the U.N. Human Rights Council, with recommendations for Sri Lanka and the international community on how best to achieve accountability in Sri Lanka. The government should wait until the U.N. report is issued before finalizing its own plans.

Secretary of State Kerry's visit to Sri Lanka just 4 months after President Sirisena's election was not only symbolic of the revival of relations between our countries, but also illustrative of the Sri Lankan Government's efforts to realign its foreign relations more broadly. Over the last 6 years, the Obama administration has demonstrated leadership within the international community in addressing a range of issues in Sri Lanka. The administration's policy should follow the same trajectory and continue to play a leadership role.

Likewise, the U.S. Congress has long sought to support democracy, development, human rights, and the rule of law in Sri Lanka. A close friend of mine, the late James W. Spain, one of our most able diplomats, served as our Ambassador in Colombo from 1985 to 1988. He was a devoted friend of Sri Lanka. I look forward to doing what I can to assist the Secretary and the Sirisena government, on behalf of all the people of Sri Lanka, in the months ahead.

IRAQ WAR'S IMPACT ON CURRENT NATIONAL SECURITY THREATS

Mr. LEAHY. Mr. President, we have the benefit of looking through the lens of history to learn from past mistakes in the hopes of making more informed decisions for the future. No example is more relevant today than the unintended effects of the 2003 invasion of Iraq, and their bearing on the threats of today. I opposed that war from the beginning, and we have paid, and continue to pay, a tremendous price—in American lives, in the unfathomable expense of taxpayer dollars, and in the escalation of strife in that region, and beyond.

There is no doubt that the terrorists of the Islamic State of Iraq and the Levant, ISIL, have emerged from Al Qaeda in Iraq, seizing upon instability, weak institutions, ethnic fractions, and general hostility toward Western forces that resulted from the post-9/11 Iraq invasion. Our personnel, allies, and interests abroad face significant threats from this terrorist group, which have arisen out of the ill-conceived invasion of Iraq.

We can be proud of the bravery, dedication, and sacrifice of our soldiers and their families. They are not at fault for the complex situation in which we now find ourselves. They served our Nation dutifully, and for that we are grateful. Rather, it serves as a reminder that policymakers cannot act recklessly—especially when taking military action. As we continue to address the very real threat that is ISIL, it is astounding to me how far in the past the hard lessons we learned now appear to be to some commentators and policymakers.

I ask unanimous consent that a perceptive and well-written analysis on this subject, written by the distinguished journalist and former foreign correspondent Barrie Dunsmore, that was published in the Rutland Herald and the Montpelier (Barre) Times Argus on May 24, 2015, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Rutland Herald and the Montpelier (Barre) Times Argus; May 24, 2015]

SHORT MEMORIES

(By Barrie Dunsmore)

''I am running because I think the world is falling apart,'' Sen. Lindsey Graham of South Carolina said this past week. Senator Graham is not alone among the many aspiring Republican presidential candidates. Not only do they want us to believe the world is falling apart. They also want us to believe it's not their fault.

As Robert Costa wrote in the Washington Post, ''One by one, nearly a dozen GOP hopefuls took the stage (in Des Moines Iowa) for a Lincoln dinner, each different in style and stature but all joining a rising Republican chorus that lays blame for the Islamic State terrorist group squarely at the feet of President Barack Obama.'' Senator Lindsey Graham said to cheers, ''If you fought in Iraq, it worked. It's not your fault it's going to hell. It's Obama's fault.''

The Islamic State is but one of the Middle East's problems of recent years. The hopes for a more democratic region engendered by the Arab Spring, have been dashed. Egypt is now more of a military dictatorship than it was under President Hosni Mubarak. Without dictator Muammar Gaddafi, Libya is now awash with weapons, without a functioning government and ruled by tribes. Syria is still in the throes of a three year unresolved civil war, with an estimated 150,000, dead. As Iran and Saudi Arabia violently vie for dominance in Lebanon, Syria, Iraq and Yemen, indisputably the Middle East is more unstable than it was seven years ago.

Yet just as the world economy was in a deep depression after the market crash of '08, when Obama took office so too was the Middle East in turmoil—mostly because of the 2003 American invasion of Iraq.

As they seek to shift the blame of Iraq, which just last year conservative pundit George Will wrote was ''the worst foreign policy decision in U.S. history,'' Republicans are asking us to forget the past. I don't doubt that some already have. In the era of Twitter, YouTube and Instagram, seven years may seem like an eternity. But not everyone will forget.

Former Florida Governor Jeb Bush found this out on a recent campaign stop, when Ivy Ziedrich, a Nevada college student confronted him with the charge, ''Your brother created ISIS.'' Bush's response was, ''ISIS didn't exist when my brother was president.''

It is accurate that the name Islamic State was not in use during the George W. Bush presidency. But the movement that later became ISIS was a direct result of the American invasion. That group called itself ''al Qaida in Iraq.'' It was led by the fanatic Abu Musab al-Zarkawi, and was responsible for hundreds of bombings, kidnappings and beheadings—yes beheadings—in a reign of terror which made Zarqawi the most wanted man in Iraq. His goal was to rid Iraq of foreign forces, and to provoke sectarian conflict between Iraq's Shiite majority and his own Sunni Muslim sect.

Zarqawi was killed in an American bombing raid in 2006. But nine years ago, the Washington Post reported, ''Analysts warned that his death may not stem the tide of the insurgency and violence. . . . Zarqawi set up numerous semi-autonomous terrorist cells across Iraq, many of which could continue after his death.''

Indeed they did. And joined by numerous bitter Sunni officers from Saddam Hussein's army, al-Qaida in Iraq eventually morphed into the Islamic State in Iraq and Syria (ISIS.) Its current leader is an Iraqi named Abu Bakr al Baghdadi, who claims to be the caliph (supreme leader) of the new Islamic State.

But ISIS is by no means the only bi-product of the American invasion of Iraq. When Iraqi President Saddam Hussein and his Sunni dominated regime were overthrown by American military might, there were no happier people than the Shiite mullahs of Iran. Saddam had initiated the bloody eight

year Iran-Iraq war. Without Saddam on its border to worry about, Iran was now free to encourage the Iraqi Shiite majority to assume power over their Sunni and Kurdish minorities. Thus a Shiite led Iraq became a major ally of Iran in its power struggle with Sunni Saudi Arabia. And that Sunni-Shiite battle for regional domination is at the root of most of the current sectarian violence in the Middle East.

(This reminds me of the credibly sourced story that surfaced years ago. Evidently after meeting with the president on the eve of the Iraq invasion, one of the Iraqi exiles who strongly encouraged American intervention was nevertheless shocked that Mr. Bush did not seem to understand the difference between Sunnis and Shiites.)

But let's set aside all this troublesome history. What is it that Republicans want to do—in the future—to resolve the problem of the Islamic State?

Most of them apparently feel that in 2016, American voters will want their president to get really tough with ISIS. So far, the rhetoric has been overblown and viable alternatives seem in short supply.

Senator Marco Rubio (R–FLA), when speaking to the Freedom Forum of South Carolina, used a line from the movie ''Taken'', in explaining what he would do with the terrorists. ''We will look for you. We will find you. And we will kill you.''

Former Senator Rick Santorum of Pennsylvania said at a recent meeting in Iowa. ''They want to bring back the 7th century of jihad. So here's my suggestion: We load up our bombers, and we bomb them back to the 7th century.''

Senator Graham and most of the other candidates, seem once again to be under the sway of the same neo-conservative, tough-guy thinking that gave us the Iraq War. Presidential wannabes might want to take a closer look at that war—eight years of fighting, at one point with 162,000 U.S. troops on the ground and substantial air and naval support nearby. The cost was at least $2 trillion, nearly 4500 Americans killed and hundreds of thousands seriously wounded. Yet with all that military might and its enormous costs, the United States did not prevail.

ADDITIONAL STATEMENTS

RECOGNIZING THE 50TH ANNIVERSARY OF BOY SCOUT TROOP 6 OF BARRINGTON, RHODE ISLAND

● Mr. WHITEHOUSE. Mr. President, as the Boy Scout Law tells us, ''A Scout is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean, and reverent.'' These values are always worth remembering. Even 8 out of 12 is an achievement. We all know people who don't get to six on their best day.

For 50 years, boys and young men have built these important traits under the direction of Boy Scout Troop 6 from Barrington, RI, part of the Narragansett Council of the Boy Scouts of America. The programs and traditions of Troop 6 help Scouts build moral fiber, engender responsible citizenship, and develop maturity and physical fitness.

Over the years, the troop has organized or participated in countless activities that have helped the community at large. Scouts from Troop 6 Barrington carry out a community service project every month, including working with the Barrington Land Conservation Trust to clear hiking trails, contributing food and labor to food drives across New England, and assisting numerous nonprofit organizations throughout Rhode Island.

More than 100 Scouts from Troop 6 have earned the rank of Eagle Scout, the highest achievement in Scouting. They have distinguished themselves as community leaders, service volunteers, and mentors for their peers.

As Boy Scouts of America president Dr. Robert M. Gates put it last month in his address to the Boys Scouts National Annual Business Meeting, ''Every day, in every community in America, scouting is changing the lives of boys and young men teaching them skills and leadership, helping them build character and integrity.'' Thanks to its many dedicated leaders, parents, and volunteers, Troop 6 has provided boys in Barrington with valuable tools and lifelong leadership skills for a half century.

I congratulate all the Scouts of Boy Scout Troop 6 and their families on this special anniversary, and I am grateful for their outstanding commitment to their community, to the State of Rhode Island, and to our country.

Mr. President, I ask that a list of Eagle Scouts, Scoutmasters, and committee chairmen of Troop 6 be printed in the RECORD.

The list follows:

EAGLE SCOUTS FROM TROOP 6, BARRINGTON, RHODE ISLAND (1973–2015)

James Pazera, Frederick Kennemar, Norman Mahoney, Kenneth Pazera, Kurt Sorenson, Richard Farynyk, Steven M. Ekllund, David Strickland, Brian T. Culhane, Paul H. Ryden, Gerritt D. DeWitt, Gregory J. Amter, Timothy L. Culhane, Jeff D. Sanders, Jeffrey J. DiSandro, Sean M. Davis, Erich G. Stephens, Julio Friedman, John W. Rosevear, Jr., Anthony DeSpirto III.

Dennis J. Wajda, Robert W. Weaver, Kurt Frederich Stephens, David B. Ryden, Kenneth F. Wajda, Bryce T. Hall, Brian H. Darakyan, Arieh Daniel Lowenstein, Timothy A. Jarocki, Bryan J. Tamburro, Patrick Dolan Mara, Nathaniel H. Wetherbee, Robert J. Wilbur, Matthew David Mueller, William R. Thompson, Robert Andrew Mueller, Brendan Scott Mara, Scott R. Goff, Jonathan Thomas Belmont, Matthew Anton Steger.

Dereck Glenn Dowler, Peter Anthony DeLuca, James Alberts Charnley, Daniel V. Fitzgerald, Thomas Joseph Jarocki, Paul R Gladney, Jr., Gregory F. Zavota, Thomas Joseph Peck, Jonathan Flynn Horton, Jonathan Matthew Webb, James Flynn Horton, Donald Lloyd Curtin, Adam Crawley, Sean M. Hackett, Alexander Robert Pease, Michael Anastasia, Alexander G. Raufi, Matthew John Lensing, Robert James Peck, Colin Black.

Patrick James Brickley, Jared Alexander Luther, Shane Barclay VanDeusen, Matthew Paul Maloney, Bradley Russell Holtz, Christopher C. Hoy, Andrew Thies, Joseph M. Codega, Brett Comer, Jonathon Scagos, Benjamin Glatter, Patrick Ryan McAree, Gregory Andrew Wright, Michael Jeffrey Oberg, Steven George Mercer, Ryan Joseph Hurley, Michael Bryan Brooks, Michael Brian Brickley, Christopher W. Halladay, Patrick W. Halladay.

Andrew Hart Dennis, Robert Christopher Preite, Justin Richard Cooper, Perry Tyler Schiff, Peter Southworth Burns, Christopher M. Scagos, Ethan A. Selinger, Christopher Dodd Antonelli, Matthew Evan Gamache, Zachary Lucky N. Luther, Benjamin Mathanie Orrall, Edward Page Codega, Ethan Philip Greene, Edward W. Mercer, Sean Patrick McMahon, Michael Alan Dupont, Gregory James Niguidula, Zachary D. Mumbauer, Matthew J. Brown, Ian G. Millspaugh.

Joshua C. Eller, Matthew K. Greene, Dylan A. Vanasse, Marshall M. Heitke, Nicholas K. Sayegh, Andrew R. Anderson, Brandon Purcell, Scott N. Johnson, Alexander Greenberg, Robert B. Sasse, Gregory J. Shea, Jonathan W. Cavanagh, Michael Peck, Eric Goodale, Harry J. Lico, William A. Stockhecker.

SCOUTMASTERS OF TROOP 6, BARRINGTON, RHODE ISLAND (1965–2015)

William Maney, Rober Litchfield, James Perreault, Thomas Culhane, Karl Stephens, Edward Fitzgerald, Joseph Jarocki, James Halfyard, Cris Brooks, Richard Halladay, Gary DuPont, Dan Mumbauer, Greg Shea.

COMMITTEE CHAIRMEN OF TROOP 6, BARRINGTON, RHODE ISLAND (1965–2015)

Roy Ross, Edward Peck, Axel Sorensen, Alan DeWitt, Robert Litchfield, Walter Quertler, Donald Anderson, Joseph Jarocki, Rick Scagos, James Halfyard, Marc Millspaugh, Mike Morrissette.●

REMEMBERING LAWRENCE GOULD

● Mr. KING. Mr. President, I stand before you today in solemn remembrance of Lawrence Gould, a founding member of Camp Sunshine, which is a truly remarkable and transformative sanctuary for children with life-threatening illnesses and their families. The camp has brought respite, support, hope, and joy to thousands of families for over three decades and will continue to do so for years to come. The State of Maine has lost a man of true integrity; Larry was 84.

Larry was an exceptionally intelligent and hard-working man who found countless successes in life. Equipped with a Ph.D. from the Massachusetts Institute of Technology at the age of 24, he went on to become president, chairman, and CEO of M/A-Com, Inc., a Fortune 500 company. After establishing himself as a prominent and distinguished businessman, Larry developed Point Sebago Resort, in Casco, ME—considered the first resort campground in the country.

Upon stepping down as chair of M/A-Com, Inc. in 1983, Larry and his wife Anna sought to share their successes with others and turned their dedication and devotion to charitable endeavors. A year later, Point Sebago Resort opened its doors to 43 children and their families, and the program was met with resounding enthusiasm from its pilot participants. Thus Camp Sunshine was created.

Over the years, more and more medical centers began referring their patients to Camp Sunshine. The camp's extraordinary emotional and medical support played a momentous role in the well-being of the children who spent their summers on the shores of Lake Sebago. As the camp became

widely revered in the medical community, Larry knew he needed to expand and find a permanent home for Camp Sunshine. In 2001, the Goulds donated 24 acres of land adjacent to Point Sebago. Camp Sunshine was now open year-round. Since then, the Goulds have continued to strengthen Camp Sunshine's services while ensuring that their families can attend free of charge.

Larry's idea for a camp that provides respite and psychosocial support for sick children was the first of its kind in the United States and is emblematic of his nature as a visionary philanthropist. His passion for improving the lives of those children and families who have stayed at Camp Sunshine is felt by all who knew him. In continuing to carry out Larry's mission, I am sure that Camp Sunshine's dedicated staff will also carry on his earnest enthusiasm for helping those around him.

Through his tireless efforts, Larry affected countless lives. I am deeply saddened by his passing, but I know that the impact of his work transcends life. His firm devotion to the betterment and care of Camp Sunshine's children will never be forgotten. I, along with all the people of Maine, am thankful for his immeasurable contributions to our State and the Nation.●

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. ISAKSON for the Committee on Veterans' Affairs.

*LaVerne Horton Council, of New Jersey, to be an Assistant Secretary of Veterans Affairs (Information and Technology).

*David J. Shulkin, of Pennsylvania, to be Under Secretary for Health of the Department of Veterans Affairs.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. HIRONO (for herself and Mr. WYDEN):

S. 1528. A bill to improve energy savings by the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. DURBIN (for himself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. MURPHY, Mr. REED, and Mrs. BOXER):

S. 1529. A bill to promote the tracing of firearms used in crimes, and for other purposes; to the Committee on the Judiciary.

By Ms. MIKULSKI (for herself and Mr. CARDIN):

S. 1530. A bill to renew certain Moving to Work agreements for a period of 10 years; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASSIDY (for himself, Mr. MCCONNELL, Mr. CORNYN, Ms. COLLINS, Mr. INHOFE, Mr. COATS, Mr. ROUNDS, Mr. VITTER, Mrs. CAPITO, and Mr. WICKER):

S. 1531. A bill to reform the provision of health insurance coverage by promoting health savings accounts, State-based alternatives to coverage under the Affordable Care Act, and price transparency, in order to promote a more market-based health care system, and for other purposes; to the Committee on Finance.

By Mrs. MURRAY (for herself, Mrs. BOXER, Mrs. SHAHEEN, Mr. REID, Mr. BLUMENTHAL, Ms. BALDWIN, Mr. BENNET, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HIRONO, Mr. KAINE, Ms. KLOBUCHAR, Mr. LEAHY, Mrs. MCCASKILL, Mr. MERKLEY, Ms. MIKULSKI, Mr. MURPHY, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mr. FRANKEN, Ms. STABENOW, Ms. WARREN, Mr. WYDEN, and Mr. MENENDEZ):

S. 1532. A bill to ensure timely access to affordable birth control for women; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BARRASSO:

S. 1533. A bill to authorize the Secretary of the Interior to coordinate Federal and State permitting processes related to the construction of new surface water storage projects on lands under the jurisdiction of the Secretary of the Interior and the Secretary of Agriculture and to designate the Bureau of Reclamation as the lead agency for permit processing, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CORNYN:

S. 1534. A bill to require the Secretary of Veterans Affairs to ensure that the medical center of the Department of Veterans Affairs located in Harlingen, Texas, includes a full-service inpatient health care facility, to redesignate such medical center, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUNT (for himself, Mrs. MCCASKILL, Mr. COCHRAN, Mr. WICKER, Mr. BROWN, Mr. PORTMAN, Mr. DURBIN, Mr. KIRK, Mr. SCHUMER, and Mrs. GILLIBRAND):

S. Res. 195. A resolution designating the Ulysses S. Grant Association as the organization to implement the bicentennial celebration of the birth of Ulysses S. Grant, Civil War General and 2-term President of the United States; to the Committee on the Judiciary.

By Mr. BURR (for himself and Mr. TESTER):

S. Res. 196. A resolution designating July 10, 2015, as Collector Car Appreciation Day and recognizing that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; considered and agreed to.

By Mr. BLUMENTHAL (for himself, Ms. AYOTTE, Mr. MURPHY, Mr. MENENDEZ, Mr. BROWN, and Mr. SCHATZ):

S. Res. 197. A resolution recognizing the need to improve physical access to many federally funded facilities for all people of the United States, particularly people with disabilities; considered and agreed to.

ADDITIONAL COSPONSORS

S. 145

At the request of Mr. FLAKE, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 145, a bill to require the Director of the National Park Service to refund to States all State funds that were used to reopen and temporarily operate a unit of the National Park System during the October 2013 shutdown.

S. 218

At the request of Mr. ENZI, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 218, a bill to facilitate emergency medical services personnel training and certification curriculums for veterans.

S. 311

At the request of Mr. CASEY, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 313

At the request of Mr. GRASSLEY, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 313, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

At the request of Mr. CASEY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 313, supra.

S. 439

At the request of Mr. FRANKEN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 439, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 546

At the request of Ms. HEITKAMP, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 546, a bill to establish the Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Subcommittee under the Federal Emergency Management Agency's National Advisory Council to provide recommendations on emergency responder training and resources relating to hazardous materials incidents involving railroads, and for other purposes.

S. 586

At the request of Mrs. SHAHEEN, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 586, a bill to amend the Public Health Service Act to foster more effective implementation and coordination of clinical care for people with

pre-diabetes, diabetes, and the chronic diseases and conditions that result from diabetes.

S. 637

At the request of Mr. CRAPO, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 705

At the request of Mr. UDALL, his name was added as a cosponsor of S. 705, a bill to amend section 213 of title 23, United States Code, relating to the Transportation Alternatives Program.

S. 746

At the request of Mr. WHITEHOUSE, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 746, a bill to provide for the establishment of a Commission to Accelerate the End of Breast Cancer.

S. 763

At the request of Mr. REED, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 763, a bill to amend title XII of the Public Health Service Act to reauthorize certain trauma care programs, and for other purposes.

S. 797

At the request of Mr. BOOKER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 797, a bill to amend the Railroad Revitalization and Regulatory Reform Act of 1976, and for other purposes.

S. 804

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 843

At the request of Mr. BROWN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 843, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 901

At the request of Mr. MORAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 901, a bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces that are related to that exposure, to establish an advisory board on such health conditions, and for other purposes.

S. 1083

At the request of Mr. NELSON, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1083, a bill to amend title XVIII of the Social Security Act to require drug manufacturers to provide drug rebates for drugs dispensed to low-income individuals under the Medicare prescription drug benefit program.

S. 1140

At the request of Mr. BARRASSO, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1140, a bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term ''waters of the United States'', and for other purposes.

S. 1170

At the request of Mrs. FEINSTEIN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1170, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research, and for other purposes.

S. 1316

At the request of Ms. MURKOWSKI, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1316, a bill to provide for the retention and future use of certain land in Point Spencer, Alaska, to support the mission of the Coast Guard, to convey certain land in Point Spencer to the Bering Straits Native Corporation, to convey certain land in Point Spencer to the State of Alaska, and for other purposes.

S. 1380

At the request of Mrs. MURRAY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1380, a bill to support early learning.

S. 1407

At the request of Mr. HELLER, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 1407, a bill to promote the development of renewable energy on public land, and for other purposes.

S. 1421

At the request of Mr. HATCH, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1421, a bill to amend the Federal Food, Drug, and Cosmetic Act to authorize a 6-month extension of certain exclusivity periods in the case of approved drugs that are subsequently approved for a new indication to prevent, diagnose, or treat a rare disease or condition, and for other purposes.

S. 1495

At the request of Mr. TOOMEY, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1495, a bill to curtail the use of changes in mandatory programs affecting the Crime Victims Fund to inflate spending.

S. 1500

At the request of Mr. CRAPO, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1500, a bill to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes.

S. 1512

At the request of Mr. CASEY, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from Virginia (Mr. KAINE), the Senator from Massachusetts (Mr. MARKEY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 1512, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. CON. RES. 17

At the request of Mr. ROUNDS, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Con. Res. 17, a concurrent resolution establishing a joint select committee to address regulatory reform.

AMENDMENT NO. 1521

At the request of Mr. REED, the names of the Senator from Maryland (Ms. MIKULSKI), the Senator from Oregon (Mr. MERKLEY), the Senator from New Mexico (Mr. UDALL), the Senator from Vermont (Mr. LEAHY), the Senator from Indiana (Mr. DONNELLY), the Senator from California (Mrs. BOXER), the Senator from New Jersey (Mr. MENENDEZ), the Senator from New Jersey (Mr. BOOKER), the Senator from California (Mrs. FEINSTEIN), the Senator from Maryland (Mr. CARDIN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Michigan (Mr. PETERS) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of amendment No. 1521 proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1550

At the request of Mrs. SHAHEEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of amendment No. 1550 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1557

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 1557 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of

the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1558

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 1558 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1559

At the request of Mr. DURBIN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of amendment No. 1559 proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1564

At the request of Mr. BLUMENTHAL, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Rhode Island (Mr. REED), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of amendment No. 1564 proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1584

At the request of Mr. MURPHY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of amendment No. 1584 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1614

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 1614 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1615

At the request of Mr. CASEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of amendment No. 1615 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1619

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 1619 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1628

At the request of Ms. AYOTTE, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Arkansas (Mr. BOOZMAN), the Senator from Missouri (Mr. BLUNT), the Senator from South Dakota (Mr. ROUNDS), the Senator from Utah (Mr. HATCH) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of amendment No. 1628 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1647

At the request of Mr. MERKLEY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of amendment No. 1647 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1652

At the request of Mrs. SHAHEEN, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of amendment No. 1652 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1656

At the request of Mr. WHITEHOUSE, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of amendment No. 1656 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1669

At the request of Mr. BOOZMAN, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Delaware (Mr. COONS), the Senator from Iowa (Mr. GRASSLEY), the Senator from Kansas (Mr. ROBERTS), the Senator from Michigan (Ms. STABENOW) and the Senator from Montana (Mr. TESTER) were added as cosponsors of amendment No. 1669 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1690

At the request of Mr. CARDIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 1690 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1704

At the request of Mr. DURBIN, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of amendment No. 1704 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1725

At the request of Mr. WICKER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of amendment No. 1725 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1752

At the request of Mr. HEINRICH, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of amendment No. 1752

intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1798

At the request of Mrs. BOXER, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of amendment No. 1798 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1799

At the request of Mrs. BOXER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of amendment No. 1799 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1811

At the request of Mr. HATCH, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of amendment No. 1811 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 1855

At the request of Mr. DURBIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of amendment No. 1855 intended to be proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. MURPHY, Mr. REED, and Mrs. BOXER):

S. 1529. A bill to promote the tracing of firearms used in crimes, and for other purposes; to the Committee on the Judiciary.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1529

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Crime Gun Tracing Act of 2015''.

SEC. 2. DEFINITION.

Section 1709 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd–8) is amended by—

(1) redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively; and

(2) inserting before paragraph (2), as redesignated, the following:

''(1) 'Bureau' means the Bureau of Alcohol, Tobacco, Firearms, and Explosives.''.

SEC. 3. INCENTIVES FOR TRACING FIREARMS USED IN CRIMES.

Section 1701 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended by striking subsection (c) and inserting the following:

''(c) PREFERENTIAL CONSIDERATION OF APPLICATIONS FOR CERTAIN GRANTS.—In awarding grants under this part, the Attorney General, where feasible—

''(1) may give preferential consideration to an application for hiring and rehiring additional career law enforcement officers that involves a non-Federal contribution exceeding the 25-percent minimum under subsection (g); and

''(2) shall give preferential consideration to an application submitted by an applicant that has reported all firearms recovered during the previous 12 months by the applicant at a crime scene or during the course of a criminal investigation to the Bureau for the purpose of tracing, or to a State agency that reports such firearms to the Bureau for the purpose of tracing.''.

SEC. 4. REPORTING OF FIREARM TRACING BY APPLICANTS FOR COMMUNITY ORIENTED POLICING SERVICES GRANTS.

Section 1702(c) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd–1(c)) is amended—

(1) in paragraph (10), by striking ''and'' at the end;

(2) in paragraph (11), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(12) specify—

''(A) whether the applicant recovered any firearms at a crime scene or during the course of a criminal investigation during the 12 months before the submission of the application;

''(B) the number of firearms described in subparagraph (A);

''(C) the number of firearms described in subparagraph (A) that were reported to the Bureau for tracing, or to a State agency that reports such firearms to the Bureau for tracing; and

''(D) the reason why any firearms described under subparagraph (A) were not reported to the Bureau for tracing, or to a State agency that reports such firearms to the Bureau for tracing.''.

By Mr. CASSIDY (for himself, Mr. MCCONNELL, Mr. CORNYN, Ms. COLLINS, Mr. INHOFE, Mr. COATS, Mr. ROUNDS, Mr. VITTER, Mrs. CAPITO, and Mr. WICKER):

S. 1531. A bill to reform the provision of health insurance coverage by promoting health savings accounts, State-based alternatives to coverage under the Affordable Care Act, and price transparency, in order to promote a more market-based health care system, and for other purposes; to the Committee on Finance.

Mr. CASSIDY. Mr. President, the Supreme Court is about to rule on King v. Burwell. This decision is a question of a plain reading of the law, which is that subsidies shall only be given to those who reside in States which have established State exchanges. That is the plain reading of the law. The administration maintains that, no, ''States'' doesn't mean ''States,'' but, rather, it can be an exchange set up either by the State or the Federal Government.

Presuming the Supreme Court decides that a plain reading of the law is correct—that for a resident of a State to receive a subsidy, they have to reside in a State that has established an exchange—there are 37 States in which those currently receiving subsidies will lose their subsidies. This is important because under ObamaCare we have seen a dramatic increase in the cost of health insurance premiums. So many people who formerly would have been able to afford an insurance premium no longer can without the subsidy. What this means for that person in a State such as Louisiana is there will be someone in the middle of chemotherapy who can no longer afford their insurance without a subsidy. The insurance has been made so high because of ObamaCare that that patient is no longer able to afford her insurance and she is at risk of losing her coverage because the administration illegally implemented the law.

This is where we are going into the Supreme Court decision. Let me kind of now start on a different tack.

The President's health care law, ObamaCare, the Affordable Care Act, has continued to be singularly unpopular. A recent ABC poll showed that only 39 percent of Americans approved of the law. That is an alltime low—10 percent lower than it has been.

One can ask why it would be unpopular and why it would be particularly unpopular now. I think the reason it is unpopular in general is that ObamaCare is a coercive Federal Government program, that if you don't bend your will to the Federal Government, the Federal Government will penalize you. That is not how Americans view their relationship to the Federal Government. We don't expect the government to tell us what to do. There might be income taxes, which we pay, and there will be drafts in times of war, such as World War II, but in general, aside from those two things, the Federal Government should just stay out of our lives. In this case—ObamaCare—the Federal Government gets right in the middle of that which is most personal, and that is our health care.

I think the reason ObamaCare is particularly unpopular now is because of the premium increases that have resulted because of ObamaCare. Here are

some headlines: CNN, ''Obamacare sticker shock: Big rate hikes proposed for 2016''; AP, ''Many health insurers go big with initial 2016 rate requests''; AP again, ''8 Minnesota Health Plans Propose Big Premium Hikes for 2016''; the New York Times, ''In Vermont, Frustrations Mount Over Affordable Care Act''; and the Washington Post, ''Almost half of Obamacare exchanges face financial struggles in the future.''

In my own State, insurers are asking for 20 percent increases, and this is on top of premium increases that have resulted from the previous few years.

Indeed, the President likes to speak about how health care costs under ObamaCare have mitigated—health care costs. Actually, that began in 2007 before ObamaCare passed. But since ObamaCare passed, it has been true. Health care costs have not risen as they did in the past. Health insurance costs have gone up dramatically. The remarkable story of ObamaCare is that there is now no relationship between health insurance cost and health care cost. The insurance companies, with the regulations imposed by ObamaCare, are charging far more for insurance than one would expect because of the health care costs. Of course, the President chooses to speak of the cost of care, not the cost of premiums, but for the average person, it is the cost of premiums which is making her so frustrated with this law.

That brings us back to King v. Burwell. At this point, I am offering today, along with several original cosponsors, what we call the Patient Freedom Act. We give patients the power which ObamaCare took from them, and we give them the power by lowering the cost. We lower the cost by eliminating the mandates that are part of ObamaCare. We return power over insurance to the States, with the rationale that she who governs best governs closest to those who are governed. The insurance commissioner in that State should be able to decide what the person in their State wishes to have for their policy, not a Washington bureaucrat. And we give patients knowledge. We give them price transparency. They should know the cost of something that is ordered for them before they have the procedure performed as opposed to learning afterward. We give them portability, and we give them protection against preexisting conditions.

I and others—I think the Presiding Officer as well—have campaigned for several cycles that we were going to repeal and replace ObamaCare. In this situation, the Supreme Court will repeal a portion of ObamaCare—not all but a portion—in 37 States, and this is the plan that will replace that portion of ObamaCare which is repealed.

We like to look at it this way. We begin to plant the seeds. Now, in those 37 States, those 8 million people affected by the Obama administration's illegal implementation of the subsidy law—we make it better for them. We plant the seeds so that over time other aspects and eventually the entirety of ObamaCare will be replaced with something which gives the patient the power as opposed to a Washington bureaucrat.

Let me lay out what we do. King v. Burwell goes against the administration. The Supreme Court rules that the law has been implemented illegally. States will then have a choice: They can either establish a State exchange if they wish for the status quo of ObamaCare, the State can do nothing, which means in that State all of ObamaCare goes away for the private insurance market, or they can choose the Patient Freedom Act, which is the market-based reform that we think gives the patient the power and not the bureaucrat.

Now let me compare the two. I mentioned how under the Patient Freedom Act costs are lowered by repealing mandates. For example, under ObamaCare there is an individual mandate with a coercive penalty. The Patient Freedom Act does not have one. There is an employer mandate penalty. Yes, under ObamaCare the employer is penalized; under the Patient Freedom Act, no. There is the Federal essential health benefits mandate. Under ObamaCare, a Washington bureaucrat tells somebody that which they must purchase. In the Patient Freedom Act, we return that to the State insurance commissioner. We do not have these mandates. I can go on down the list, but the reality is that ObamaCare, coercive mandates; the Patient Freedom Act, no.

The money we make available to the States we take from the tax credits that ObamaCare would give to those in the State—those who are eligible and signed up—we take the Medicaid funding that would be available in the State for Medicaid expansion, and we combine those two for the total allocation that will go to that State.

Now, some would say: Wait a second. The Federal Government should not be in the business of helping people with health insurance. I say the Federal Government is deeply in that business already. If you look under public insurance, there is Medicare, Medicaid, CHIP, VA, TRICARE, and on and on where the Federal Government is providing health care benefits for a substantial portion—over 25 percent—of Americans. These are those Americans who get their insurance through the employer-sponsored insurance, where the employer and the employee can contribute to their insurance but they get a tax break on the purchase. That tax break averages about $1,700. We are speaking about that remaining group who purchases their insurance for themselves. We lower their cost by equalizing the tax treatment between the two. It is the same sort of tax break that those with the employer-sponsored insurance receive. We will now offer that same tax break to these folks and in so doing achieve that conservative goal of equalizing the tax treatment of those purchasing employer-sponsored insurance as opposed to purchasing on their own.

The funding goes to the patient. I am a doctor. I have been working in a public hospital system for 25 years. I learned working as a physician in both the private setting but also principally in the public hospital setting that whoever controls the dollar has the power. That makes no sense whatsoever. It is one of the major flaws in ObamaCare. Since these subsidies are based upon estimated earnings that are later reconciled through tax returns, Americans are facing onerous tax liabilities and penalties as a consequence.

Let me explain further how this wage-lock occurs, because increasingly Americans are going to be running into this problem. Let me give you an example. Last year, the least expensive premium for a silver plan to cover a 50-year-old individual in Aroostook County, ME, cost $6,300 through an Affordable Care Act exchange. But that, obviously, is not what most individuals pay. Instead, they receive a subsidy that phases out based on their estimated income. But again, the subsidy completely disappears at a sharp cliff at 400 percent of the Federal poverty level.

An individual whose estimated income is just less than this cliff, say, one that is earning $46,500, will pay 9.5 percent of his or her income, or $4,370, for insurance and the rest is covered by the Federal tax credits. But if it turns out that this individual actually made a bit more than 400 percent of the Federal poverty level—let's say the individual made $47,000—then, he or she would be on the hook for the entire $6,300 premium. In other words, a 50-year-old who makes just $500 more than he or she estimated will have to pay $2,000 more at tax time for health insurance in the exchange.

Think about what this means for a self-employed individual whose income fluctuates not only from year to year but from month to month. This is a financial nightmare to try to figure out.

This cliff does not just affect individuals who get their coverage through the ACA. Cliffs appear over and over in the design of the subsidies under ObamaCare, and couples and families will face them at different levels of income as their household size changes. What will these bait-and-switch health insurance premiums do to incentives to work harder, to earn more, to accept promotions? If you accept a promotion at work and then your income goes over that magic 400 percent of poverty threshold, you are going to lose your entire subsidy. You might well decide to turn down that raise at work or that opportunity to be promoted to a better job. What kind of system has been designed to discourage people from moving ahead in the workplace?

In the State of Maine, so far we have learned that at least 1,000 Maine families have lost their subsidies completely because they were in that situation where their income went over that threshold. Another 1,000 Mainers are finding out that they are losing part of their subsidy and are going to be on the hook for paying more money.

I will say to my colleagues that you are going to start hearing this in your States, and it particularly is going to affect people who are self-employed and who have to estimate what their income is going to be. Through no fault of their own—unless they are going to turn down work—they may well go over the threshold amount and lose their subsidy altogether. Remember, it takes just $1 in additional earnings at the 400 percent of poverty level to lose your subsidy altogether.

Let me give you an example of a Maine couple who contacted my office. They discovered to their horror that when they filed their taxes, they had earned more than the threshold and they owed $13,000 to the IRS for the health insurance they received through the ObamaCare exchange, on top of the $4,000 that they had been told their exchange coverage would cost.

Imagine finding out that because you worked a little harder, because you earned a bit more money, you now unexpectedly owe an extra $13,000 to the IRS because you lost your subsidy. The Patient Freedom Act would put an end to the bait-and-switch premiums that are built into the ObamaCare exchanges.

One of the reasons I opposed the Affordable Care Act was that there was nothing affordable about it. I predicted at the time that it would lead to fewer choices and higher insurance costs for many middle-income Americans and small businesses.

A ruling in favor of the plaintiffs in King v. Burwell would prompt Congress to protect those who would lose their subsidies, but it would also provide the opportunity to give States the option to replace the Affordable Care Act's poorly crafted mandates with patient-directed reforms that contain costs, provide more choices, and still provide assistance to those who need it most.

The Patient Freedom Act does exactly that. I urge my colleagues to support it.

Now, if it is a bureaucrat who controls that dollar, then the bureaucrat will dictate the type of facility the patient is seen in. If the patient controls the dollar, the hospitals are going to compete for her business, and she dictates the type of facility in which she is seen. So in the Patient Freedom Act, the money goes directly to the patient. It can go through the State. The money can be granted to the State on a per-patient enrolled grant type; and in so doing, the State would then distribute—and there are advantages for the State to do the distribution—or, if the State does not want that responsibility, it can be a Federal tax credit that goes into a health savings account that the patient controls. But either way, the patient controls the dollar. The patient has the power, not a bureaucrat.

Here is a brief example of how it will work: Here is the health savings deposit that goes into a health savings account. There will be some reforms in the bill that allow the patient to either use it as her contribution—as the employee's contribution on a employer-sponsored plan. She can directly contract with a provider network. She can purchase commercial insurance or, if she does nothing, the State has the option of creating a system, where someone is enrolled unless they choose not to be.

Again, I am going to call upon my experience as a physician. Think of a person who might be schizophrenic, homeless, living beneath a bridge. He is never going to do what ObamaCare mandates, which is to get on the Internet and fill out a 16-page form. It is just not going to happen. I have been there, I have done that. I have been in the ER in the middle of the night when a patient has come in with some acute medical or trauma condition. Under this system, though, the State could have this person enrolled unless they choose not to be.

So with the health savings account, they would have first-dollar coverage for a visit should they decide to go into an outpatient clinic for a foot that was infected. If they have some major issue and they are brought to the hospital, the catastrophic policy would then give them the coverage for that hospitalization but also protect the hospital, the doctors, and other providers from taking a total loss—which, by the way, society ends up paying for—because they have no coverage for that hospitalization. So with this system, we can achieve higher enrollments than are achieved under ObamaCare.

Last, let me talk about one more way in which we think patients will have the power. One, they will have power portability. Every year, in an open enrollment season, if the patient wishes to change plans, she may, without penalty. Secondly, she will be protected against preexisting conditions. The only rating that will be required for premiums will be for geography and age. A 57-year-old will get a bigger credit than a 20-year-old. But aside from age and, again, geographic—because it is more expensive to receive care in Manhattan, NY, than Manhattan, KS—that will be the only differences allowed. Lastly, there will be the power of price transparency.

Currently, a woman goes in with her daughter, the doctor orders a CT scan, and the patient has no clue what the cost of that CT scan is. Now, it can be anywhere from $250 to $2,500 or more. I pick those numbers because the LA Times had an article a couple years ago, they found that the difference in cash price for CT scans was $250 to $2,500. The only way someone could know is if they were an investigative reporter and able to find out, not if you are a mom with a sick child who needed a CT scan. For me, it is going to be great when the mother can take her smart phone, scan a QR code, and pull up something which says: CT scan $250 here, $2,500 there. I am going to make my decision based on some combination of cost, quality, and convenience. I will pick based upon my values on where to go. It is not a Washington bureaucrat, it is a mother who is going to make that decision.

Again, continuous coverage protects those with preexisting conditions, and we mentioned the price transparency. In this way, Republicans will give States the option to choose. Again, they can stay in ObamaCare if they want. They have that option now. They can do nothing, and it goes away if the Supreme Court rules that the subsidies have been implemented illegally or they can go with the Patient Freedom Act—the Patient Freedom Act—which gives patients the power by lowering costs, lowering the cost by eliminating mandates, returning power over insurance back to the commissioners who govern closest to those who actually will be using the insurance, and then giving the patient the power of portability, protection against preexisting conditions, and the power of price transparency.

Ms. COLLINS. Mr. President, let me begin my remarks this evening by commending my friend and colleague the Senator from Louisiana for coming up with a creative and comprehensive health care bill that I am pleased to cosponsor.

As a physician, Senator CASSIDY knows far better than most of us in this body what it is like to deliver health care and has made a real effort to come up with a public policy response in anticipation of the Supreme Court's decision in King v. Burwell, which is expected to be handed down later this month. So I thank him for his work and his creativity in tackling a very complex issue.

As I mentioned, later this month, the Court is expected to rule in King v. Burwell, a case challenging the availability of premium tax credits under the Affordable Care Act in the 37 States that have not established a State-run health insurance exchange.

If the Supreme Court rules in favor of the plaintiffs, as many experts expect it will, 6.4 million Americans who are now receiving premium tax credits through the federally run exchanges will lose their subsidies, and, as a result, their health insurance may well become unaffordable. This includes almost 61,000 people in my State of Maine.

Such a decision will place responsibility on Congress and the President to work together to protect those individuals. Senator CASSIDY and I believe we can do this by extending the current subsidies for a transition period, as contemplated by the sense-of-Congress

language included in the Patient Freedom Act that we are introducing today.

But the Supreme Court's decision will also invite us to think anew about how to ensure that all Americans have access to affordable, high-quality health care. We can advance this goal by revamping and reforming the Affordable Care Act to improve the quality and affordability of health care while retaining the insurance market reforms that are so important to consumers.

Senator CASSIDY's Patient Freedom Act is precisely the type of new thinking we need. As the title of this bill suggests, the Patient Freedom Act is built on the premise that freeing people to take charge of their health care is superior to the one-size-fits-all approach of ObamaCare. A decision for the plaintiffs in King v. Burwell would essentially leave States with two options, absent congressional action. They could either set up a State-run exchange to ensure that their residents have access to the Affordable Care Act subsidies or do nothing and allow their residents to lose these ObamaCare subsidies. Under Senator CASSIDY's bill, however, States with federally run exchanges would have a third option. They would have the choice of participating in the new Patient Freedom Act.

Participating in the Patient Freedom Act would allow States to structure their health insurance market without an individual mandate or an employer mandate or many of the other expensive mandates under ObamaCare. In return, States would have to offer their citizens a basic health insurance plan that would include first-dollar coverage through a health savings account, basic prescription drug coverage, a high-deductible health plan to protect enrollees against medical bankruptcy, coverage for preexisting conditions—a good provision of the current law that we would retain—coverage through a parent's plan for children up to age 26—another good provision of the law that we would retain—and there could be no annual or lifetime limits on insurance claims, again a good provision of the current law that we would retain.

Here is how it would work: The Federal Government would provide funding directly into the health savings accounts of individuals insured through the Patient Freedom Act. These funds would be phased out for higher income individuals. The aggregate funding for these per-patient, per-capita grants would be determined based on the total amount of funding that the Federal Government would have provided in the form of ObamaCare subsidies in each State, plus any funding each State would have received had they chosen to expand their Medicaid Program, even if, like the State of Maine, they had chosen not to do so.

In addition to Federal funds, individuals and employers could make tax-advantaged contributions to these health savings accounts. The bill even provides for a partial tax credit for very low-income individuals who do receive employer-based coverage, but it would help these workers pay for their deductibles and copays.

Individuals who are insured under the Patient Freedom Act would receive debit cards tied to their health savings accounts, which they could use to purchase a high-deductible health plan to pay directly for medical expenses or pay premiums for a more generous health insurance policy. In addition, health care providers receiving payment from the health savings accounts would be required to publish cash prices for their services, which would add transparency that we desperately need to move toward a more patient-directed health care future.

The promise of patient-directed health care is one of the advantages of this approach, but it has other advantages as well. For example, residents of States that elect this option would no longer face the individual mandate penalty that can cost individuals 2.5 percent of their income and the typical American family of four an estimated $2,100 next year. It would also codify the elimination of the employer mandate in these States, freeing these employers to add jobs and let their full-time employees work 40 hours a week. ObamaCare has been causing some employers to reduce hours for their employees. The result has been smaller paychecks for those workers.

Perhaps most important, however, the Patient Freedom Act would do away with what the superintendent of insurance in Maine refers to as ''wage lock.'' That is caused by the fact that the subsidies in the ObamaCare exchanges phase out completely at 400 percent of the Federal poverty level. In other words, there is a cliff there. Now, 400 percent of the poverty level is about $47,000 for an individual and $64,000 for a couple. Taxpayers who earn just $1 more than the threshold lose their entire subsidy.

By Mr. CORNYN:

S. 1534. A bill to require the Secretary of Veterans Affairs to ensure that the medical center of the Department of Veterans Affairs located in Harlingen, Texas, includes a full-service inpatient health care facility, to redesignate such medical center, and for other purposes; to the Committee on Veterans' Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1534

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Treto Garza South Texas Veterans Inpatient Care Act of 2015''.

SEC. 2. DESIGNATION OF MEDICAL CENTER OF DEPARTMENT OF VETERANS AFFAIRS IN HARLINGEN, TEXAS, AND INCLUSION OF INPATIENT HEALTH CARE FACILITY AT SUCH MEDICAL CENTER.

(a) FINDINGS.—Congress makes the following findings:

(1) The current and future health care needs of veterans residing in South Texas are not being fully met by the Department of Veterans Affairs.

(2) According to recent census data, more than 108,000 veterans reside in South Texas.

(3) Travel times for veterans from the Valley Coastal Bend area from their homes to the nearest hospital of the Department for acute inpatient health care can exceed six hours.

(4) Even with the significant travel times, veterans from South Texas demonstrate a high demand for health care services from the Department.

(5) Ongoing overseas deployments of members of the Armed Forces from Texas, including members of the Armed Forces on active duty, members of the Texas National Guard, and members of the other reserve components of the Armed Forces, will continue to increase demand for medical services provided by the Department in South Texas.

(6) The Department employs an annual Strategic Capital Investment Planning process to ''enable the VA to continually adapt to changes in demographics, medical and information technology, and health care delivery'', which results in the development of a multi-year investment plan that determines where gaps in services exist or are projected and develops an appropriate solution to meet those gaps.

(7) According to the Department, final approval of the Strategic Capital Investment Planning priority list serves as the ''building block'' of the annual budget request for the Department.

(8) Arturo ''Treto'' Garza, a veteran who served in the Marine Corps, rose to the rank of Sergeant, and served two tours in the Vietnam War, passed away on October 3, 2012.

(9) Treto Garza, who was also a former co-chairman of the Veterans Alliance of the Rio Grande Valley, tirelessly fought to improve health care services for veterans in the Rio Grande Valley, with his efforts successfully leading to the creation of the medical center of the Department located in Harlingen, Texas.

(b) REDESIGNATION OF MEDICAL CENTER IN HARLINGEN, TEXAS.—

(1) IN GENERAL.—The medical center of the Department of Veterans Affairs located in Harlingen, Texas, shall after the date of the enactment of this Act be known and designated as the ''Treto Garza South Texas Department of Veterans Affairs Health Care Center''.

(2) REFERENCES.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the medical center of the Department referred to in paragraph (1) shall be deemed to be a reference to the Treto Garza South Texas Department of Veterans Affairs Health Care Center.

(c) REQUIREMENT OF FULL-SERVICE INPATIENT FACILITY.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall ensure that the Treto Garza South Texas Department of Veterans Affairs Health Care Center, as designated under subsection (b), includes a full-service inpatient health care facility of the Department and shall modify the existing facility as necessary to meet that requirement.

(2) PLAN TO EXPAND FACILITY CAPABILITIES.—The Secretary shall include in the annual Strategic Capital Investment Plan of

the Department for fiscal year 2016 a project to expand the capabilities of the Treto Garza South Texas Department of Veterans Affairs Health Care Center, as so designated, by adding the following:

(A) Inpatient capability for 50 beds with appropriate administrative, clinical, diagnostic, and ancillary services needed for support.

(B) An urgent care center.

(C) The capability to provide a full range of services to meet the health care needs of women veterans.

(d) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report detailing a plan to implement the requirements in subsection (c), including an estimate of the cost of required actions and the time necessary for the completion of those actions.

(e) SOUTH TEXAS DEFINED.—In this section, the term ''South Texas'' means the following counties in Texas: Aransas, Bee, Brooks, Calhoun, Cameron, DeWitt, Dimmit, Duval, Goliad, Hidalgo, Jackson, Jim Hogg, Jim Wells, Kenedy, Kleberg, Nueces, Refugio, San Patricio, Starr, Victoria, Webb, Willacy, Zapata.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 195—DESIGNATING THE ULYSSES S. GRANT ASSOCIATION AS THE ORGANIZATION TO IMPLEMENT THE BICENTENNIAL CELEBRATION OF THE BIRTH OF ULYSSES S. GRANT, CIVIL WAR GENERAL AND 2-TERM PRESIDENT OF THE UNITED STATES

Mr. BLUNT (for himself, Mrs. MCCASKILL, Mr. COCHRAN, Mr. WICKER, Mr. BROWN, Mr. PORTMAN, Mr. DURBIN, Mr. KIRK, Mr. SCHUMER, and Mrs. GILLIBRAND) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 195

Whereas Ulysses S. Grant was born in southern Ohio on April 27, 1822, to Jesse Grant and Hannah Simpson Grant;

Whereas the first line of the memoirs of Ulysses S. Grant proudly states: ''My Family is American, and has been for generations, in all its branches, direct and collateral.'';

Whereas Ulysses S. Grant attended school in Georgetown, Ohio, graduated from the United States Military Academy in 1843, and entered the United States Army;

Whereas Ulysses S. Grant served in a variety of military posts from the Atlantic Coast to the Pacific Coast, including posts in New York, Michigan, and California, and a post at the famous Jefferson Barracks in Missouri;

Whereas Ulysses S. Grant distinguished himself in combat during the Mexican-American War and worked tirelessly to succeed in civilian life;

Whereas, as a civilian farmer in Missouri, Ulysses S. Grant—

(1) met and married his wife, Julia Dent, for whom Ulysses S. Grant built a home named Hardscrabble;

(2) worked alongside slaves and emancipated the only slave that Ulysses S. Grant owned; and

(3) continued to own land while Ulysses S. Grant was President;

Whereas when the Civil War erupted, Ulysses S. Grant left Galena, Illinois to rejoin the United States Army, gained the colonelcy of the 21st Illinois Volunteer Regiment, and began his meteoric military rise;

Whereas during the Civil War, Ulysses S. Grant led troops in numerous victorious battles including—

(1) in Tennessee, at Forts Henry and Donelson and at Shiloh and Chattanooga; and

(2) in Mississippi, at Vicksburg;

Whereas President Abraham Lincoln chose Ulysses S. Grant to be Commanding General during the Civil War, and in that role Ulysses S. Grant revolutionized warfare in Virginia to preserve the Union;

Whereas in gratitude, the people of the United States twice elected Ulysses S. Grant President of the United States;

Whereas during his Presidency from 1869 to1877, Ulysses S. Grant worked valiantly to help former slaves become full citizens and became the first modern President of the United States;

Whereas after leaving the Presidency, Ulysses S. Grant became the first President of the United States to tour the world;

Whereas Ulysses S. Grant established a foreign policy that the United States followed into the 20th century and beyond;

Whereas Ulysses S. Grant authored his memoirs, the most significant piece of 19th-century nonfiction, while courageously battling cancer, which eventually took his voice and his life but did not silence the noble words that he left as a legacy;

Whereas the Ulysses S. Grant Association was founded during the Centennial of the Civil War in 1962 by the leading historians of that era and the Civil War Centennial Commissions of New York, Illinois, and Ohio, 3 States where Ulysses S. Grant lived;

Whereas, in the years since it was founded in 1962, the Ulysses S. Grant Association—

(1) has produced 32 volumes of ''The Papers of Ulysses S. Grant'', the major source for the study of the life of Ulysses S. Grant and the 19th century in which he lived; and

(2) has worked toward the publication of the first scholarly edition of the memoirs of Ulysses S. Grant, which as of May 2015, is nearing completion;

Whereas the Ulysses S. Grant Association was first headquartered at the Ohio Historical Society located on the campus of Ohio State University, later moved to Southern Illinois University, and relocated in 2008 to Mississippi State University; and

Whereas in 2012, the Ulysses S. Grant Association established the Ulysses S. Grant Presidential Library, the world center for Ulysses S. Grant scholars and tourists: Now, therefore, be it

Resolved, That the Senate—

(1) proclaims 2022 as the Bicentennial year for the celebration of the birth of Ulysses S. Grant, military leader and President;

(2) designates the Ulysses S. Grant Association, housed at the Ulysses S. Grant Presidential Library on the grounds of Mississippi State University, as the designated institution for organizing and leading the celebration of the bicentennial; and

(3) encourages the people of the United States to join in that bicentennial celebration to honor Ulysses S. Grant, 1 of the major historical figures of the United States.

SENATE RESOLUTION 196—DESIGNATING JULY 10, 2015, AS COLLECTOR CAR APPRECIATION DAY AND RECOGNIZING THAT THE COLLECTION AND RESTORATION OF HISTORIC AND CLASSIC CARS IS AN IMPORTANT PART OF PRESERVING THE TECHNOLOGICAL ACHIEVEMENTS AND CULTURAL HERITAGE OF THE UNITED STATES

Mr. BURR (for himself and Mr. TESTER) submitted the following resolution; which was considered and agreed to:

S. RES. 196

Whereas many people in the United States maintain classic automobiles as a pastime and do so with great passion and as a means of individual expression;

Whereas the Senate recognizes the effect that the more than 100-year history of the automobile has had on the economic progress of the United States and supports wholeheartedly all activities involved in the restoration and exhibition of classic automobiles;

Whereas the collection, restoration, and preservation of automobiles is an activity shared across generations and across all segments of society;

Whereas thousands of local car clubs and related businesses have been instrumental in preserving a historic part of the heritage of the United States by encouraging the restoration and exhibition of such vintage works of art;

Whereas automotive restoration provides well-paying, high-skilled jobs for people in all 50 States; and

Whereas automobiles have provided the inspiration for music, photography, cinema, fashion, and other artistic pursuits that have become part of the popular culture of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 10, 2015, as ''Collector Car Appreciation Day'';

(2) recognizes that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; and

(3) encourages the people of the United States to engage in events and commemorations of Collector Car Appreciation Day that create opportunities for collector car owners to educate young people about the importance of preserving the cultural heritage of the United States, including through the collection and restoration of collector cars.

SENATE RESOLUTION 197—RECOGNIZING THE NEED TO IMPROVE PHYSICAL ACCESS TO MANY FEDERALLY FUNDED FACILITIES FOR ALL PEOPLE OF THE UNITED STATES, PARTICULARLY PEOPLE WITH DISABILITIES

Mr. BLUMENTHAL (for himself, Ms. AYOTTE, Mr. MURPHY, Mr. MENENDEZ, Mr. BROWN, and Mr. SCHATZ) submitted the following resolution; which was considered and agreed to:

S. RES. 197

Whereas, in 2012, nearly 20 percent of the civilian population in the United States reported having a disability;

Whereas, in 2012, 16 percent of veterans, amounting to more than 3,500,000 people, received service-related disability benefits;

Whereas, in 2011, the percentage of working-age people in the United States who reported having a work limitation due to a disability was 7 percent, which is a 20-year high;

Whereas the Act entitled ''An Act to insure that certain buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped'', approved August 12, 1968 (42 U.S.C. 4151 et seq.) (referred to in this preamble as the ''Architectural Barriers Act of 1968''), was enacted to ensure that certain federally funded facilities are designed and constructed to be accessible to people with disabilities and requires that physically handicapped people have ready access to, and use of, post offices and other Federal facilities;

Whereas automatic doors, though not mandated by either the Architectural Barriers Act of 1968 or the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), provide a greater degree of self-sufficiency and dignity for people with disabilities and the elderly, who may have limited strength to open a manually operated door;

Whereas a report commissioned by the Architectural and Transportation Barriers Compliance Board (referred to in this preamble as the ''Access Board''), an independent Federal agency created to ensure access to federally funded facilities for people with disabilities, recommends that all new buildings for use by the public should have at least one automated door at an accessible entrance, except for small buildings where adding such doors may be a financial hardship for the owners of the buildings;

Whereas States and municipalities have begun to recognize the importance of automatic doors in improving accessibility;

Whereas the laws of the State of Connecticut require automatic doors in certain shopping malls and retail businesses, the laws of the State of Delaware require automatic doors or calling devices for newly constructed places of accommodation, and the laws of the District of Columbia have a similar requirement;

Whereas the Facilities Standards for the Public Buildings Service, published by the General Services Administration, requires automation of at least one exterior door for all newly constructed or renovated facilities managed by the General Services Administration, including post offices;

Whereas from 2006 to 2011, 71 percent of the complaints received by the Access Board regarding the Architectural Barriers Act of 1968 concerned a post office or other facility of the United States Postal Service;

Whereas the United States Postal Service employs approximately 522,000 people, making it the second-largest civilian employer in the United States;

Whereas approximately 3,200,000 people visit 1 of the 31,857 post offices in the United States each day; and

Whereas the United States was founded on principles of equality and freedom, and these principles require that all people, including people with disabilities, are able to engage as equal members of society: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the immense hardships that people with disabilities in the United States must overcome every day;

(2) reaffirms its support of the Act entitled ''An Act to insure that certain buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped'', approved August 12, 1968 (42 U.S.C. 4151 et seq.), commonly known as the ''Architectural Barriers Act of 1968'', and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and encourages full compliance with such Acts;

(3) recommends that the United States Postal Service and Federal agencies install power-assisted doors at post offices and other federally funded facilities, respectively, to ensure equal access for all people of the United States; and

(4) pledges to continue to work to identify and remove the barriers that prevent all people of the United States from having equal access to the services provided by the Federal Government.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1870. Mr. MURPHY (for himself, Mr. SCHATZ, Mr. UDALL, Mr. BLUMENTHAL, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 1871. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1872. Ms. STABENOW (for herself, Mr. PETERS, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1873. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1874. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1875. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1876. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1877. Mr. COATS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1878. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1879. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1880. Mrs. FEINSTEIN (for herself and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1881. Mrs. FEINSTEIN (for herself and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1882. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1883. Mr. KAINE (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1884. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1885. Mr. PETERS (for himself, Ms. HIRONO, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1886. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1887. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1888. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1889. Mr. MCCAIN (for himself, Mrs. FEINSTEIN, Mr . REED, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra.

SA 1890. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1891. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1892. Mr. DAINES (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1893. Mr. FLAKE (for himself, Mr. JOHNSON, Mr. MCCAIN, and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1894. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1895. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1896. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1897. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1898. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1899. Mr. REED submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill

H.R. 1735, supra; which was ordered to lie on the table.

SA 1900. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1901. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1902. Ms. WARREN (for herself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1903. Ms. CANTWELL (for herself, Mr. SULLIVAN, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1904. Mr. MCCAIN (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1905. Mr. MCCAIN (for himself, Mr. REED, Mr. SULLIVAN, Mr. WICKER, Mr. INHOFE, Mr. GRAHAM, Mrs. ERNST, Mr. COTTON, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1906. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1907. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1908. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1909. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1910. Mr. TOOMEY (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1911. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1912. Mr. WARNER (for himself, Ms. HIRONO, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1913. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1914. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1915. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1916. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1917. Mr. REED (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1918. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1919. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1920. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1921. Mr. BURR (for himself and Mr. MCCAIN) proposed an amendment to amendment SA 1569 proposed by Mr. BURR (for himself and Mrs. BOXER) to the amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra.

SA 1922. Mr. WARNER (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1923. Mr. INHOFE (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1924. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1925. Mr. COATS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1926. Mr. LEAHY (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1927. Mr. ISAKSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1928. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1929. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1930. Mr. LEAHY (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1931. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1932. Mr. REED submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1933. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1934. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1935. Mr. MCCONNELL (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1936. Mr. MCCONNELL (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1937. Ms. AYOTTE (for herself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1938. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1939. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1940. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1941. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1942. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1943. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1944. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1945. Ms. CANTWELL (for herself, Mr. SULLIVAN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1946. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1947. Ms. BALDWIN (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1948. Mr. WHITEHOUSE (for himself, Mr. FRANKEN, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1949. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1950. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1951. Mr. HEINRICH (for himself, Mr. ALEXANDER, Ms. BALDWIN, and Mr. WYDEN)

submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1952. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1953. Mr. REED submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1954. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1955. Mr. BROWN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1956. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1957. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1958. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1959. Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1960. Ms. AYOTTE (for herself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1961. Ms. AYOTTE (for herself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1962. Ms. AYOTTE (for herself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1963. Mr. FLAKE (for himself, Mr. MCCAIN, and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1964. Mr. BROWN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1965. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1966. Ms. STABENOW submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1967. Mr. CASEY (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1968. Mr. CORKER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1969. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1970. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1971. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1972. Mr. SESSIONS (for Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

SA 1973. Mr. SESSIONS (for Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1870. Mr. MURPHY (for himself, Mr. SCHATZ, Mr. UDALL, Mr. BLUMENTHAL, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G title XII, add the following:

SEC. 1283. PROHIBITION ON DEPLOYMENT OF GROUND COMBAT TROOPS IN IRAQ AND SYRIA.

No funds authorized to be appropriated by this Act may be used to support the deployment of the United States Armed Forces for the purpose of ground combat operations in Iraq or Syria, except as necessary—

(1) for the protection or rescue of members of the United States Armed Forces or United States citizens from imminent danger posed by ISIL; or

(2) to conduct missions not intended to result in ground combat operations by United States forces, such as—

(A) intelligence collection and sharing;

(B) enabling kinetic strikes;

(C) operational planning; or

(D) other forms of advice and assistance to forces fighting ISIL in Iraq or Syria.

SA 1871. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 818, strike ''and the congressional defense committees'' on line 25 and all that follows through page 819, line 3, and insert '', the congressional defense committees, the Committee on Energy and Natural Resources of the Senate, and the Committee on Energy and Commerce of the House of Representatives a report on the assistance provided by the owner's agent to the Secretary under that subsection with respect to oversight of the contract described in subsection (b), and shall make that report available to the public.''.

SA 1872. Ms. STABENOW (for herself, Mr. PETERS, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. DOMESTIC REFUGEE RESETTLEMENT REFORM AND MODERNIZATION.

(a) DEFINITIONS.—In this section:

(1) COMMUNITY-BASED ORGANIZATION.—The term ''community-based organization'' means a nonprofit organization providing a variety of social, health, educational and community services to a population that includes refugees resettled into the United States.

(2) DIRECTOR.—The term ''Director'' means the Director of the Office of Refugee Resettlement in the Department of Health and Human Services.

(3) NATIONAL RESETTLEMENT AGENCIES.—The term ''national resettlement agencies'' means voluntary agencies contracting with the Department of State to provide sponsorship and initial resettlement services to refugees entering the United States.

(b) ASSESSMENT OF REFUGEE DOMESTIC RESETTLEMENT PROGRAMS.—

(1) IN GENERAL.—As soon as practicable after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study regarding the effectiveness of the domestic refugee resettlement programs operated by the Office of Refugee Resettlement.

(2) MATTERS TO BE STUDIED.—In the study required under paragraph (1), the Comptroller General shall determine and analyze—

(A) how the Office of Refugee Resettlement defines self-sufficiency and integration and if these definitions adequately represent refugees' needs in the United States;

(B) the effectiveness of Office of Refugee Resettlement programs in helping refugees to meet self-sufficiency and integration;

(C) technological solutions for consistently tracking secondary migration, including opportunities for interagency data sharing;

(D) the Office of Refugee Resettlement's budgetary resources and project the amount of additional resources needed to fully address the unmet needs of refugees with regard to self-sufficiency and integration;

(E) the role of community-based organizations in serving refugees in areas experiencing a high number of new refugee arrivals;

(F) how community-based organizations can be better utilized and supported in the Federal domestic resettlement process;

(G) recertification processes for high-skilled refugees, specifically considering how to decrease barriers for Special Immigrant Visa holders to use their skills; and

(H) recommended statutory changes to improve the Office of Refugee Resettlement and the domestic refugee program in relation to the matters analyzed under subparagraphs (A) through (G).

(3) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall submit to Congress the results of the study required under this subsection.

(c) REFUGEE ASSISTANCE.—

(1) ASSISTANCE MADE AVAILABLE TO SECONDARY MIGRANTS.—Section 412(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1522(a)(1)) is amended by adding at the end the following:

''(C) The Director shall ensure that assistance under this section is provided to refugees who are secondary migrants and meet all other eligibility requirements for such assistance.''.

(2) REPORT ON SECONDARY MIGRATION.—Section 412(a)(3) of such Act (8 U.S.C. 1522(a)(3)) is amended—

(A) by inserting ''(A)'' after ''(3)'';

(B) by striking ''periodic'' and inserting ''annual''; and

(C) by adding at the end the following:

''(B) At the end of each fiscal year, the Director shall submit a report to Congress that includes—

''(i) States experiencing departures and arrivals due to secondary migration;

''(ii) likely reasons for migration;

''(iii) the impact of secondary migration on States hosting secondary migrants;

''(iv) the availability of social services for secondary migrants in those States; and

''(v) unmet needs of those secondary migrants.''.

(3) AMENDMENTS TO SOCIAL SERVICES FUNDING.—Section 412(c)(1)(B) of such Act (8 U.S.C. 1522(c)(1)(B)) is amended—

(A) by inserting ''a combination of—'' after ''based on'';

(B) by striking ''the total number'' and inserting the following:

''(i) the total number''; and

(C) by striking the period at the end and inserting the following:

''(ii) the total number of all other eligible populations served by the Office during the period described who are residing in the State as of the beginning of the fiscal year; and

''(iii) projections on the number and nature of incoming refugees and other populations served by the Office during the subsequent fiscal year.''.

(4) NOTICE AND RULEMAKING.—Not later than 90 days after the date of the enactment of this Act and not later than 30 days before the effective date set forth in paragraph (5), the Director shall—

(A) issue a proposed rule for a new formula by which grants and contracts are to be allocated pursuant to the amendments made by paragraph (3); and

(B) solicit public comment regarding such proposed rule.

(5) EFFECTIVE DATE.—The amendments made by this subsection shall become effective on the first day of the first fiscal year that begins after the date of the enactment of this Act.

(d) RESETTLEMENT DATA.—

(1) IN GENERAL.—The Director shall expand the Office of Refugee Resettlement's data analysis, collection, and sharing activities in accordance with the requirements set forth in paragraphs (2) through (5).

(2) DATA ON MENTAL AND PHYSICAL MEDICAL CASES.—The Director shall—

(A) coordinate with the Centers for Disease Control and Prevention, national resettlement agencies, community-based organizations, and State refugee health programs to track national and State trends on refugees arriving with Class A medical conditions and other urgent medical needs;

(B) examine the information sharing process, from country of arrival through refugee resettlement, to determine if access to additional mental health data could—

(i) help determine placements; and

(ii) enable agencies to better prepare to meet refugee mental health needs; and

(C) in collecting information under this paragraph, utilize initial refugee health screening data, including—

(i) a history of severe trauma, torture, mental health symptoms, depression, anxiety, and posttraumatic stress disorder recorded during domestic and international health screenings; and

(ii) Refugee Medical Assistance utilization rate data.

(3) DATA ON HOUSING NEEDS.—The Director shall partner with State refugee programs, community-based organizations, and national resettlement agencies to collect data relating to the housing needs of refugees, including—

(A) the number of refugees who have become homeless; and

(B) the number of refugees who are at severe risk of becoming homeless.

(4) DATA ON REFUGEE EMPLOYMENT AND SELF-SUFFICIENCY.—The Director shall gather longitudinal information relating to refugee self-sufficiency, integration, and employment status during the 2-year period beginning 1 year after the date on which the refugees arrived in the United States.

(5) AVAILABILITY OF DATA.—The Director shall annually—

(A) update the data collected under this subsection; and

(B) submit a report to Congress that contains the updated data.

(e) GUIDANCE REGARDING REFUGEE PLACEMENT DECISIONS.—

(1) CONSULTATION.—The Secretary of State shall provide guidance to national resettlement agencies and State refugee coordinators on consultation with local stakeholders pertaining to refugee resettlement.

(2) BEST PRACTICES.—The Secretary of Health and Human Services, in collaboration with the Secretary of State, shall collect best practices related to the implementation of the guidance on stakeholder consultation on refugee resettlement from voluntary agencies and State refugee coordinators and disseminate such best practices to such agencies and coordinators.

(f) EFFECTIVE DATE.—This section (except for the amendments made by subsection (c)) shall take effect on the date that is 90 days after the date of the enactment of this Act.

SA 1873. Ms. HIRONO (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 314. SECURE ENERGY INNOVATION PROGRAM.

(a) IN GENERAL.—The Secretary of Defense should continue to develop and support projects designed to foster secure and reliable sources of all types of energy for military installations, including energy metering, energy storage, and redundant power systems.

(b) METRICS.—The Secretary of Defense shall develop metrics for assessing the costs, risks, and benefits associated with secure energy projects. The metrics shall take into account financial and operational costs and risks associated with sustained losses of power resulting from natural or man-made disasters or attacks that impact military installations.

SA 1874. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VII, add the following:

SEC. 706. INCLUSION OF MEMBERS OF THE ARMED FORCES NOT SUBJECTED OR EXPOSED TO OPERATIONAL RISK FACTORS IN REQUIRED MENTAL HEALTH ASSESSMENT.

Section 1074m(a)(2) of title 10, United States Code, is amended by striking ''the Secretary determines that'' and all that follows through the period at the end and inserting the following:

''(A) the member completes a mental health assessment under section 1074n of this title during any of the time periods specified under such subparagraphs; or

''(B) the Secretary determines that providing a mental health assessment under this section to the member during such time periods would remove the member from forward deployment or put members or operational objectives at risk.''.

SA 1875. Mr. PAUL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. FEASIBILITY STUDY ON EXPANDING ACCESS TO POST-9/11 EDUCATIONAL ASSISTANCE BY INDIVIDUALS WITH POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY.

Not later than January 31, 2016, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly—

(1) complete a study on the feasibility of enabling individuals entitled to educational assistance under chapter 33 of title 38, United States Code, who have post-traumatic stress disorder or traumatic brain injury to pursue a program of education with such assistance on a less than full-time but more than half-time basis; and

(2) submit to the congressional defense committees, the Committee on Veterans' Affairs of the Senate, and the Committee on Veterans' Affairs of the House of Representatives a report on the study carried out under paragraph (1), which shall include the findings of the secretaries and recommendations

for such legislative or administrative action as the secretaries consider appropriate.

SA 1876. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle H of title V, add the following:

SEC. 593. REPORT ON EXEMPTION FROM FURLOUGH DURING A LAPSE IN APPROPRIATIONS FOR POSITIONS FILLED BY INDIVIDUALS ENGAGED IN MILITARY EQUIPMENT AND WEAPON SYSTEMS MAINTENANCE WITHIN THE DEPARTMENT OF DEFENSE.

(a) REPORT REQUIRED.—Not later than March 1, 2016, the Secretary of Defense shall, in coordination with the Chief of the National Guard Bureau, submit to the congressional defense committees a report on the exemption from furlough during a lapse in appropriations for positions filled by individuals engaged in military equipment and weapon system maintenance within the Department of Defense, including the position of military technician (dual status) and positions of field and depot level maintenance and engineers.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) An analysis of the Department of Defense positions described in subsection (a), and the personnel, that were exempted from furlough during the most recent lapse in appropriations for the Department.

(2) An analysis of positions filled by individuals engaged in military equipment and weapon system maintenance within the Department, and the personnel, that were not exempted from the furlough described in paragraph (1).

(3) A cost analysis of the exemption of positions from furlough as described in paragraph (1).

SA 1877. Mr. COATS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, add the following:

SEC. 119. REPORT ON POTENTIAL IMPACTS TO THE INDUSTRIAL BASE OF DELAYING OVERHAUL OF USS GEORGE WASHINGTON (CVN–73).

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report detailing the potential impacts to the industrial base if the July 2017 start date for the refueling and complex overhaul (RCOH) of the USS GEORGE WASHINGTON (CVN-73) is delayed by six months, one year, or two years. The report shall assume the Navy and industrial base have at least 18 months prior notice of the delay.

SA 1878. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. THIRD-PARTY SERVICE PROVIDERS.

Section 487(a)(20) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)(20)) is amended by adding at the end the following: ''Notwithstanding the preceding sentence, an institution may provide payment, based on the amount of tuition generated by the institution from student enrollment, to a third-party entity that provides a set of services to the institution that includes student recruitment services, regardless of whether the third-party entity is affiliated with an institution that provides educational services other than the institution providing such payment, if—

''(A) the third-party entity is not affiliated with the institution providing such payment;

''(B) the third-party entity does not make compensation payments to its employees that are prohibited under this paragraph;

''(C) the set of services provided to the institution by the third-party entity include services in addition to student recruitment services, and the institution does not pay the third-party entity solely or separately for student recruitment services provided by the third-party entity; and

''(D) any student recruitment information available to the third-party entity, including personally identifiable information, will not be used by, shared with, or sold to any other person or entity, including any institution that is affiliated with the third-party entity.''.

SA 1879. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. MINIMUM WAGE APPLICABLE TO AMERICAN SAMOA.

Section 8103(b)(2)(C) of the Fair Minimum Wage Act of 2007 (29 U.S.C. 206(b)(2)(C) note) is amended—

(1) by striking ''and 2014'' and inserting ''2014, 2015, 2016, and 2017''; and

(2) by striking ''triennial report required'' and inserting ''triennial report required to be submitted in 2017''.

SA 1880. Mrs. FEINSTEIN (for herself and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 607, strike ''submit to the congressional defense committees'' and insert '', in consultation with the Director of National Intelligence, submit to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives''.

SA 1881. Mrs. FEINSTEIN (for herself and Mr. BURR) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 682, beginning on line 8, strike ''Committees'' and all that follows through line 11 and insert the following: ''Committee on Armed Services and the Select Committee on Intelligence of the Senate and the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives a report setting forth the policy developed pursuant to subsection (a).''.

SA 1882. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 58, strike lines 14 through 17 and insert the following:

services of the Centers;

''(C) enhance capabilities by reducing the cost and improving the performance and efficiency of executing laboratory missions; and

''(D) expand commercial business ventures based on the core competencies of a Center, as determined by the director of the Center, to promote technology transfer.

SA 1883. Mr. KAINE (for himself and Mr. FLAKE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1230. USE OF MILITARY FORCE AGAINST THE ISLAMIC STATE OF IRAQ AND THE LEVANT.

Congress makes the following findings:

(1) The United States has been engaged in military operations against the Islamic State of Iraq and Levant (ISIL) since August 8, 2014.

(2) Thousands of members of the United States Armed Forces have been deployed to support military operations against ISIL in Iraq and Syria.

(3) The United States has conducted over 3,400 airstrikes against ISIL as of June 2015.

(4) The United States has spent more than $2,600,000,000 American taxpayer dollars on this war as of June 2015—a number that continues to rise by approximately $9,000,000 per day.

(5) Tragically, members of the Armed Forces have been killed in Operation Inherent Resolve, and United States hostages have been killed by ISIL in barbaric ways.

(6) The most solemn duty and responsibility Congress has is the authority, under article 1, section 8 of the Constitution, to ''declare war''.

(7) While Congress has authorized appropriations for Operation Inherent Resolve, and authorized the training of anti-ISIL forces in Syria, Congress has taken no formal action to approve Operation Inherent Resolve.

(8) In testimony before the Committee on Foreign Relations of the Senate, the Secretary of State, the Secretary of Defense, and the Special Presidential Envoy for the Global Coalition to Counter ISIL agreed that congressional authorization of Operation Inherent Resolve is important for reinforcing the leadership of the United States with our coalition partners.

(9) President Barack Obama submitted an authorization for use of military force against ISIL in February 2015.

(10) Congress has a duty to debate and determine whether or not to authorize the use of military force against ISIL and to engage in a debate about whether it is in the nation's best interest to order United States troops to risk their lives in this mission.

(11) The American public deserves a congressional debate to educate them about the national security interests at stake and the advisability of this war.

(12) Authorizing Operation Inherent Resolve would send a strong message to our coalition partners and to our adversaries that the United States is united in the fight against ISIL and speaks with one voice in confronting ISIL.

SA 1884. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. MESSAGING PLAN FOR THE INTERNET TO COUNTERING VIOLENT EXTREMISM ABROAD.

(a) FINDINGS.—Congress makes the following findings:

(1) Violent extremist groups abroad increasingly use social media and other information technologies to intimidate, recruit, radicalize, and raise funds.

(2) The Islamic State of Iraq and the Levant (ISIL) has expertly exploited social media to spread its propaganda, intimidate its opposition, raise money, and recruit others into its ranks.

(3) The United States strategy to defeat the Islamic State of Iraq and the Levant must include a campaign to counter digital media to degrade and defeat the social media propaganda and recruitment networks of the Islamic State of Iraq and the Levant.

(4) This effort must include the empowering of moderate local voices and other non-United States attributed messaging to challenge the Islamic State of Iraq and the Levant through a coordinated and integrated Government-wide strategy online.

(b) MESSAGING PLAN.—The Secretary of Defense shall, in coordination with the Secretary of State, the Director of National Intelligence, the Broadcasting Board of Governors, and other appropriate public and private sector stakeholders, develop and implement a coordinated messaging plan for the Internet, including elements described in subsection (a)(4), to counter propaganda and recruitment media disseminated by the Islamic State of Iraq and the Levant and associated violent extremist groups abroad.

SA 1885. Mr. PETERS (for himself, Ms. HIRONO, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 314. AUTHORIZATION FOR RESEARCH TO IMPROVE MILITARY VEHICLE TECHNOLOGY TO INCREASE FUEL ECONOMY OR REDUCE FUEL CONSUMPTION OF MILITARY GROUND VEHICLES USED IN COMBAT.

(a) RESEARCH AUTHORIZED.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Research and Engineering and in collaboration with the Secretary of the Army, the Secretary of the Navy, and the Director of the Defense Advanced Research Projects Agency, may carry out research to improve military ground vehicle technology to increase fuel economy or reduce fuel consumption of military ground vehicles used in combat.

(b) PREVIOUS SUCCESSES.—The Secretary of Defense shall ensure that research carried out under subsection (a) takes into account the successes of, and lessons learned during, previous Department of Defense, Department of Energy, and private sector efforts to identify, assess, develop, demonstrate, and prototype technologies that support increasing fuel economy or decreasing fuel consumption of military ground vehicles, while balancing survivability, in furtherance of military missions.

SA 1886. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 263, strike lines 6 through 13 and insert the following:

(1) in subsection (e)(3)(A), by striking ''in the United States''; and

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SA 1887. Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XIV, add the following:

SEC. 1409. ADDITIONAL AMOUNT FOR OTHER AUTHORIZATIONS, WORKING CAPITAL FUNDS, FOR THE DEFENSE COMMISSARY AGENCY.

(a) ADDITIONAL AMOUNT.—The amount authorized to be appropriated for fiscal year 2016 by section 1401 is hereby increased by $322,000,000, with the amount of the increase to be available for working capital funds, Defense Commissary Agency, as specified in the funding table in section 4501.

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2016 by section 301 is hereby decreased by $322,000,000, with the amount of the decrease to be applied to amounts available for operation and maintenance as specified in the funding table in section 4301 and achieved by limiting excessive and redundant purchases of spare parts.

SA 1888. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 564, after line 25, add the following:

(d) REPORT.—

(1) DEFINITION.—In this subsection, the term ''covered employee'' has the meaning given that term in section 1599e of title 10, United States Code, as added by subsection (a)(1).

(2) CONTENTS.—The Secretary of Defense shall submit to Congress a report regarding covered employees hired into a probationary status during the 10-year period ending on the date of enactment of this Act, which shall include the number of covered employees—

(A) hired during the period;

(B) whose appointment became final after the probationary period;

(C) who were subject to disciplinary action or termination during the 5-year period beginning on the date on which the appointment of the covered employee became final;

(D) who were subject to disciplinary action during the probationary period; and

(E) who were terminated before the appointment of the covered employee became final.

SA 1889. Mr. MCCAIN (for himself, Mrs. FEINSTEIN, Mr. REED, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1040. REAFFIRMATION OF THE PROHIBITION ON TORTURE.

(a) LIMITATION ON INTERROGATION TECHNIQUES TO THOSE IN THE ARMY FIELD MANUAL.—

(1) ARMY FIELD MANUAL 2–22.3 DEFINED.—In this subsection, the term ''Army Field Manual 2–22.3'' means the Army Field Manual 2–22.3 entitled ''Human Intelligence Collector Operations'' in effect on the date of the enactment of this Act or any similar successor Army Field Manual.

(2) RESTRICTION.—

(A) IN GENERAL.—An individual described in subparagraph (B) shall not be subjected to any interrogation technique or approach, or any treatment related to interrogation, that is not authorized by and listed in the Army Field Manual 2–22.3.

(B) INDIVIDUAL DESCRIBED.—An individual described in this subparagraph is an individual who is—

(i) in the custody or under the effective control of an officer, employee, or other agent of the United States Government; or

(ii) detained within a facility owned, operated, or controlled by a department or agency of the United States, in any armed conflict.

(3) IMPLEMENTATION.—Interrogation techniques, approaches, and treatments described in Army Field Manual 2–22.3 shall be implemented strictly in accord with the principles, processes, conditions, and limitations prescribed by Army Field Manual 2–22.3.

(4) AGENCIES OTHER THAN THE DEPARTMENT OF DEFENSE.—If a process required by Army Field Manual 2–22.3, such as a requirement of approval by a specified Department of Defense official, is inapposite to a department or an agency other than the Department of Defense, the head of such department or agency shall ensure that a process that is substantially equivalent to the process prescribed by Army Field Manual 2–22.3 for the Department of Defense is utilized by all officers, employees, or other agents of such department or agency.

(5) INTERROGATION BY FEDERAL LAW ENFORCEMENT.—Nothing in this subsection shall preclude an officer, employee, or other agent of the Federal Bureau of Investigation or other Federal law enforcement agency from continuing to use authorized, non-coercive techniques of interrogation that are designed to elicit voluntary statements and do not involve the use of force, threats, or promises.

(6) UPDATE OF THE ARMY FIELD MANUAL.—

(A) REQUIREMENT TO UPDATE.—

(i) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and once every three years thereafter, the Secretary of Defense, in coordination with the Attorney General, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence, shall complete a thorough review of Army Field Manual 2–22.3, and revise Army Field Manual 2–22.3, as necessary to ensure that Army Field Manual 2–22.3 complies with the legal obligations of the United States and reflects current, evidence-based, best practices for interrogation that are designed to elicit reliable and voluntary statements and do not involve the use or threat of force.

(ii) AVAILABILITY TO THE PUBLIC.—Army Field Manual 2–22.3 shall remain available to the public and any revisions to the Army Field Manual 2–22.3 adopted by the Secretary of Defense shall be made available to the public 30 days prior to the date the revisions take effect.

(B) REPORT ON BEST PRACTICES OF INTERROGATIONS.—

(i) REQUIREMENT FOR REPORT.—Not later than 120 days after the date of the enactment of this Act, the interagency body established pursuant to Executive Order 13491 (commonly known as the High-Value Detainee Interrogation Group) shall submit to the Secretary of Defense, the Director of National Intelligence, the Attorney General, and other appropriate officials a report on current, evidence-based, best practices for interrogation that are designed to elicit reliable and voluntary statements and do not involve the use of force.

(ii) RECOMMENDATIONS.—The report required by clause (i) may include recommendations for revisions to Army Field Manual 2–22.3 based on the body of research commissioned by the High-Value Detainee Interrogation Group.

(iii) AVAILABILITY TO THE PUBLIC.—Not later than 30 days after the report required by clause (i) is submitted such report shall be made available to the public.

(b) INTERNATIONAL COMMITTEE OF THE RED CROSS ACCESS TO DETAINEES.—

(1) REQUIREMENT.—The head of any department or agency of the United States Government shall provide the International Committee of the Red Cross with notification of, and prompt access to, any individual detained in any armed conflict in the custody or under the effective control of an officer, employee, contractor, subcontractor, or other agent of the United States Government or detained within a facility owned, operated, or effectively controlled by a department, agency, contractor, or subcontractor of the United States Government, consistent with Department of Defense regulations and policies.

(2) CONSTRUCTION.—Nothing in this subsection shall be construed—

(A) to create or otherwise imply the authority to detain; or

(B) to limit or otherwise affect any other individual rights or state obligations which may arise under United States law or international agreements to which the United States is a party, including the Geneva Conventions, or to state all of the situations under which notification to and access for the International Committee of the Red Cross is required or allowed.

SA 1890. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 213, between lines 9 and 10, insert the following:

(3) PRESERVATION OF CURRENT BAH FOR CERTAIN OTHER MARRIED MEMBERS.—Notwithstanding paragraph (1), the amount of basic allowance for housing payable to a member of the uniformed services under section 403 of title 37, United States Code, as of September 30, 2015, shall not be reduced by reason of the amendment made by subsection (a) unless—

(A) the member and the member's spouse undergo a permanent change of station requiring a change of residence;

(B) the member and the member's spouse move into or commence living in on-base housing; or

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SA 1891. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1242. SENSE OF CONGRESS ON IRAN NEGOTIATIONS.

(a) FINDINGS.—Congress makes the following findings:

(1) President Barack Obama and administration officials have routinely spoken about taking a hard line when dealing with Iran on the subject of their nuclear program and related sanctions.

(2) On September 25, 2012, in a speech to the United Nations General Assembly, President Obama stated: ''Make no mistake: A nuclear-armed Iran is not a challenge that can be contained. . .the United States will do what we must to prevent Iran from obtaining a nuclear weapon.''

(3) On April 2, 2015, in an address in the Rose Garden, President Obama stated that ''Iran has also agreed to the most robust and intrusive inspections and transparency regime,'' and declared, ''This deal was not based on trust. It's based on unprecedented verification.''

(4) On April 2, 2015, in an interview with Andrea Mitchell of NBC, in Lausanne, Switzerland, Secretary of State John Kerry when asked, ''Mr. Secretary, President Obama said if Iran cheats, we will know it. How can you be so sure? They've cheated before''; stated, ''Well, we have extraordinary, extensive verification measures that have not been applied before. We will have state-of-the-art television cameras within centrifuge production facilities. We will have cradle-to-grave tracking of uranium—uranium from the mine to the mill to the yellowcake to gas to the centrifuge to out and where it goes in spent fuel. So we have—that is an amazing amount—and we have a new dispute process which will allow us to be able to finalize access where we need it.''

(5) April 8, 2015, on the ''PBS NewsHour,'' Secretary Kerry said that in any final agreement, Iran would also have to resolve outstanding questions with the International Atomic Energy Agency over suspected military dimensions of the nuclear program. ''It will be part of a final agreement,'' he said. ''It has to be.''

(6) Iran's supreme leader, Ayatollah Ali Khamenei, has routinely spoken out openly against the United States and any sanctions against Iran's nuclear program.

(7) On April 9, 2015, the Wall Street Journal, in response to the nuclear deal, reported, ''The 75-year-old cleric also said Iran's government and security forces wouldn't permit outside inspections of the country's military sites, which are officially nonnuclear but where United Nations investigators suspect Tehran conducted tests related to atomic weapons development.''

(8) On May 20, 2015, in a graduation speech at the Imam Hussein Military University in Tehran, Ayatollah Ali Khamenei ruled out allowing international inspectors to interview Iranian nuclear scientists as part of any potential deal on its nuclear program, and reiterated that ''regarding inspections, we have said that we will not let foreigners inspect any military center''.

(9) The stated positions of the United States requiring ''robust and intrusive'' inspections of Iran's nuclear sites and any other sites where nuclear activities may be carried out or may have been conducted previously is essential to any effective agreement that would provide relief from sanctions.

(10) The public statements of Ayatollah Ali Khamenei and other top Iranian leaders suggest they may refuse to grant such inspections as are required to ensure the nuclear agreement is complied with.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Government of Iran's stated opposition to inspections represents decisive questions and suggest a verifiable agreement may be unachievable; and

(2) no nuclear agreement with Iran that does not include robust inspections and proper verification of all Iran's nuclear programs and related military installations and access to nuclear supporting scientists should be accepted.

SA 1892. Mr. DAINES (for himself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE FOR VETERANS WHO SERVED IN VICINITY OF REPUBLIC OF VIETNAM.

(a) COMPENSATION.—Subsections (a)(1) and (f) of section 1116 of title 38, United States Code, are amended by inserting ''(including the territorial seas of such Republic)'' after ''served in the Republic of Vietnam'' each place it appears.

(b) HEALTH CARE.—Section 1710(e)(4) of such title is amended by inserting ''(including the territorial seas of such Republic)'' after ''served on active duty in the Republic of Vietnam''.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect as of September 25, 1985.

(d) OFFSET.—Increased Government expenditures resulting from enactment of this section shall be paid from savings achieved by section 605 of this Act.

SA 1893. Mr. FLAKE (for himself, Mr. JOHNSON, Mr. MCCAIN, and Mr. SCHUMER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. RECRUITING SEPARATING SERVICE MEMBERS AS CUSTOMS AND BORDER PATROL OFFICERS.

(a) FINDINGS.—Congress finds that—

(1) Customs and Border Protection Officers at United States ports of entry carry out critical law enforcement duties associated with screening foreign visitors, returning United States citizens, and imported cargo entering the United States;

(2) it is in the national interest for United States ports of entry to be adequately staffed with Customs and Border Protection Officers in a timely fashion, including meeting the congressionally mandated staffing level of 23,775 officers for fiscal year 2015;

(3) an estimated 250,000 to 300,000 members of the Armed Forces separate from military service every year; and

(4) recruiting efforts and expedited hiring procedures should be undertaken to ensure that individuals separating from military service are aware of, and partake in, opportunities to fill vacant Customs and Border Protection Officer positions.

(b) EXPEDITED HIRING OF APPROPRIATE SEPARATING SERVICE MEMBERS.—

(1) IDENTIFICATION OF TRANSFERABLE QUALIFICATIONS.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security, in conjunction with the Secretary of Defense, shall jointly identify Military Occupational Safety Codes, Air Force Specialty Codes, and Naval Enlisted Classifications and Officer Designators and Coast Guard Competencies that are transferable to the requirements, qualifications, and duties assigned to Customs and Border Protection Officers.

(2) HIRING.—The Secretary of Homeland Security shall consider hiring qualified candidates with the Military Occupational Safety Codes, Air Force Specialty Codes, and Naval Enlisted Classifications and Officer Designators identified as transferable under paragraph (1) who are eligible for veterans recruitment appointment authorized under section 4214 of title 38, United States Code.

(c) ESTABLISHING A PROGRAM FOR RECRUITING SERVICE MEMBERS SEPARATING FROM MILITARY SERVICE FOR CUSTOMS AND BORDER PROTECTION OFFICER VACANCIES.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, in conjunction with the Secretary of Defense, shall establish a program to actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection Officers.

(2) ELEMENTS.—The program established under paragraph (1) shall—

(A) include Customs and Border Protection Officer opportunities in relevant job assistance efforts under the Transition Assistance Program;

(B) place Customs and Border Protection Officers at recruiting events and jobs fairs involving members of the Armed Forces who are separating from military service;

(C) provide opportunities for local U.S. Customs and Border Protection field offices to partner with military bases in the region;

(D) conduct outreach efforts to educate members of the Armed Forces with Military Occupational Safety Codes, Air Force Specialty Codes, and Naval Enlisted Classifications and Officer Designators that are transferable to the requirements, qualifications, and duties assigned to Customs and Border Protection Officers;

(E) require the Secretary of Defense and the Secretary of Homeland Security to work cooperatively to identify shared activities and opportunities for reciprocity related to steps in hiring U.S. Customs and Border Patrol officers with the goal of minimizing the time required to hire qualified applicants;

(F) require the Secretary of Defense and the Secretary of Homeland Security to work cooperatively to ensure the streamlined interagency transfer of relevant background investigations and security clearances; and

(G) include such other elements as may be necessary to ensure that members of the Armed Forces who are separating from military service are aware of opportunities to fill vacant Customs and Border Protection Officer positions.

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and December 31 of each year thereafter, the Secretary of Homeland Security and the Secretary of Defense shall jointly submit a report to the appropriate congressional committees that includes a description and assessment of the program established under subsection (c).

(2) CONTENT.—The report required under paragraph (1) shall include—

(A) a detailed description of the program established under subsection (c), including—

(i) programmatic elements;

(ii) goals associated with those elements; and

(iii) a description of how the elements and goals will assist in meeting statutorily mandated staffing levels and agency hiring benchmarks;

(B) a detailed description of the program elements that have been implemented under subsection (c);

(C) a detailed summary of the actions taken under subsection (c) to implement such program elements;

(D) the number of separating service members made aware of Customs and Border Protection Officer vacancies;

(E) the Military Occupational Safety Codes, Air Force Specialty Codes, and Naval Enlisted Classifications and Officer Designators identified as transferable under subsection (b)(1) and a rationale for such identifications;

(F) the number of Customs and Border Protection Officer vacancies filled with separating service members;

(G) the number of Customs and Border Protection Officer vacancies filled with separating service members under Veterans' Recruitment Appointment authorized under the Veterans Employment Opportunity Act of 1998 (Public Law 105–339); and

(H) the results of any evaluations or considerations of additional elements included or not included in the program established under subsection (c).

(e) RULES OF CONSTRUCTION.—Nothing in this section may be construed—

(1) as superseding, altering, or amending existing Federal veterans' hiring preferences or Federal hiring authorities; or

(2) to authorize the appropriation of additional amounts to carry out this section.

SA 1894. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016

for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 524. SENSE OF SENATE ON SECRETARY OF DEFENSE REVIEW OF SECTION 504 OF TITLE 10, UNITED STATES CODE, REGARDING ENLISTING CERTAIN ALIENS IN THE ARMED FORCES.

It is the sense of the Senate that the Secretary of Defense should review section 504 of title 10, United States Code, for the purpose of making a determination and authorization pursuant to subsection (b)(2) of such section regarding the enlistment in the Armed Forces of aliens who—

(1) were unlawfully present in the United States on December 31, 2011;

(2) have been continuously present in the United States since that date;

(3) were younger than 16 years of age on the date the aliens initially entered the United States; and

(4) disregarding such unlawful status, are otherwise eligible for original enlistment in a regular component of the Army, Navy, Air Force, Marine Corps, or Coast Guard.

SA 1895. Mr. HELLER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 524. EVALUATION OF THE IMPACT OF THE ENLISTMENT OF CERTAIN ALIENS IN THE ARMED FORCES ON MILIARY READINESS.

(a) EVALUATION REQUIRED.—The Secretary of Defense shall evaluate—

(1) whether permitting covered aliens to enlist in the Armed Forces could expand the pool of potential enlistees in the Armed Forces; and

(2) how making covered aliens eligible for enlistment in the Armed Forces would impact military readiness.

(b) COVERED ALIENS DEFINED.—In this section, the term ''covered aliens'' means aliens who—

(1) were unlawfully present in the United States on December 31, 2011;

(2) have been continuously present in the United States since that date;

(3) were younger than 16 years of age on the date the aliens initially entered the United States; and

(4) disregarding such unlawful status, are otherwise eligible for original enlistment in a regular component of the Army, Navy, Air Force, Marine Corps, or Coast Guard.

SA 1896. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. REPORT ON THE ROLE OF THE MINISTRY OF THE REVOLUTIONARY ARMED FORCES AND THE MINISTRY OF THE INTERIOR IN CUBA IN THE ECONOMY AND FOREIGN RELATIONSHIPS OF CUBA.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and not less frequently than annually thereafter, the President shall submit a report to Congress that describes the role of the Ministry of the Revolutionary Armed Forces and the Ministry of the Interior of the Republic of Cuba with respect to the economy of Cuba.

(b) CONTENTS.—The report required under subsection (a) shall—

(1) identify the entities that the United States considers to be owned, operated, or controlled (in whole or in part) by—

(A) the Ministry of the Revolutionary Armed Forces or the Ministry of the Interior of Cuba; or

(B) any senior member of the Ministry of the Revolutionary Armed Forces or the Ministry of the Interior of Cuba;

(2) include an assessment of the business dealings with countries and entities outside of Cuba that are conducted by—

(A) either of the entities identified under paragraph (1)(A); or

(B) officers of such entities; and

(3) include an assessment of the relationship of the Ministry of the Revolutionary Armed Forces and the Ministry of the Interior of Cuba with the militaries of foreign countries, including whether either Cuban Ministry has—

(A) conducted any joint training, exercises, financial dealings, or weapons purchases or sales with such foreign militaries; or

(B) provided advisors to such foreign militaries.

(c) FORM OF REPORT.—Each report submitted under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 1897. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 558. ADDITIONAL RECIPIENTS OF CONFIDENTIAL DISCLOSURES OF SEXUAL ASSAULT IN THE ARMED FORCES THAT DO NOT TRIGGER AN OFFICIAL INVESTIGATION.

(a) ADDITIONAL RECIPIENTS.—Section 1565b(b)(2) of title 10, United States Code, is modified by adding at the end the following new subparagraphs:

''(D) The Senators representing the State in which the victim resides, and the Member, Delegate, or Resident Commissioner of the House of Representatives representing the district in which the victim resides.

''(E) A Special Victims' Counsel pursuant to section 1044e of this title.''.

(b) REGULATIONS.—The Secretary of Defense shall revise the regulations required by section 1565b(b) of title 10, United States Code, to establish procedures to ensure that Members of Congress can engage with the Department of Defense on behalf of a member of the Armed Forces who is a victim of sexual assault, pursuant to a request for assistance from the victim to such Member of Congress, in a confidential manner. Under the regulations as so revised, neither a request by a victim to a Member of Congress for assistance nor subsequent engagement with the victim by such Member of Congress shall jeopardize the Restricted status of any report filed by the victim in connection with the sexual assault.

SA 1898. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. NOTICE REGARDING MAXIMUM RATE OF INTEREST ON STUDENT LOANS UNDER SERVICEMEMBERS CIVIL RELIEF ACT.

Section 105 of the Servicemembers Civil Relief Act (50 U.S.C. App. 515) is amended—

(1) by striking ''The Secretary'' and inserting the following:

''(a) IN GENERAL.—The Secretary''; and

(2) by adding at the end the following new subsection:

''(b) STUDENT LOANS.—Each servicer of a loan made, insured, or guaranteed under Part B, D, or E of title IV of the HIgher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., 1087aa et seq.) shall, not later than 30 days after the date on which a servicemember with a student loan serviced by such servicer that is subject to subsection (a) of section 207 begins a period of military service, notify such servicemember of the servicemember's rights under this act.''.

SA 1899. Mr. REED submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

The table in section 2614(b) is amended by adding after the item relating to Camp Smith, New York, the following new item:

Puerto Rico.	Gurabo	Readiness Center ...	$14,218,000

SA 1900. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the

Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 1103 and insert the following:

SEC. 1103. SENSE OF CONGRESS ON IMPLEMENTATION OF THE "NEW BEGINNINGS" PERFORMANCE MANAGEMENT AND WORKFORCE INCENTIVE SYSTEM OF THE DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Section 1113 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84) required the Department of Defense to institute a fair, credible, and transparent performance appraisal system, given the name ''New Beginnings'', for employees which—

(A) links employee bonuses and other performance-based action to employee performance appraisals;

(B) ensured ongoing performance feedback and dialogue among supervisors, managers, and employees throughout the appraisal period, with timetables for review; and

(C) developed performance assistance plans to give employees formal training, on-the-job training, counseling, mentoring, and other assistance.

(2) The military components and Defense Agencies of the Department are currently reviewing the proposed ''New Beginnings'' performance management and workforce incentive system developed in response to section 1113 of the National Defense Authorization Act for Fiscal Year 2010.

(3) The Department anticipates it will begin implementation of the ''New Beginnings'' performance management and workforce incentive system in April 2016.

(4) The authority in section 1113 of the National Defense Authorization Act for Fiscal Year 2010 provided the Secretary, in coordination with the Director of the Office of Personnel Management, flexibilities in promulgating regulations to redesign the procedures which are applied by the Department in making appointments to positions within the competitive service in order to—

(A) better meet mission needs;

(B) respond to manager needs and the needs of applicants;

(C) produce high-quality applicants;

(D) support timely decisions;

(E) uphold appointments based on merit system principles; and

(F) promote competitive job offers.

(5) In implementing the ''New Beginnings'' performance management and workforce incentive system, section 1113 of the National Defense Authorization Act for Fiscal Year 2010 requires the Secretary to comply with veterans' preference requirements.

(6) Among the criteria for the ''New Beginnings'' performance management and workforce incentive system authorized by section 1113 of the National Defense Authorization Act for Fiscal Year 2010, the Secretary is required to—

(A) adhere to merit principles;

(B) include a means for ensuring employee involvement (for bargaining unit employees, through their exclusive representatives) in the design and implementation of the performance management and workforce incentive system;

(C) provide for adequate training and retraining for supervisors, managers, and employees in the implementation and operation of the performance management and workforce incentive system;

(D) develop a comprehensive management succession program to provide training to employees to develop managers for the Department and a program to provide training to supervisors on actions, options, and strategies a supervisor may use in administering the performance management and workforce incentive system;

(E) include effective transparency and accountability measures and safeguards to ensure that the management of the performance management and workforce incentive system is fair, credible, and equitable, including appropriate independent reasonableness reviews, internal assessments, and employee surveys;

(F) utilize the annual strategic workforce plan required by section 115b of title 10, United States Code; and

(G) ensure that adequate resources are allocated for the design, implementation, and administration of the performance management and workforce incentive system.

(7) Section 1113 of the National Defense Authorization Act for Fiscal Year 2010 also requires the Secretary to develop a program of training—to be completed by a supervisor every three years—on the actions, options, and strategies a supervisor may use in—

(A) developing and discussing relevant goals and objectives with employees, communicating and discussing progress relative to performance goals and objectives, and conducting performance appraisals;

(B) mentoring and motivating employees, and improving employee performance and productivity;

(C) fostering a work environment characterized by fairness, respect, equal opportunity, and attention to the quality of the work of employees;

(D) effectively managing employees with unacceptable performance;

(E) addressing reports of a hostile work environment, reprisal, or harassment of or by another supervisor or employee; and

(F) allowing experienced supervisors to mentor new supervisors by sharing knowledge and advice in areas such as communication, critical thinking, responsibility, flexibility, motivating employees, teamwork, leadership, and professional development, and pointing out strengths and areas of development.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should proceed with the collaborative work with employee representatives on the ''New Beginnings'' performance management and workforce incentive system and begin implementation of the new system at the earliest possible date.

SA 1901. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 884. ANNUAL REPORT ON FOREIGN PROCUREMENTS.

(a) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2338. Reporting on foreign purchases

''(a) IN GENERAL.—Not later than 60 days after the end of fiscal year 2016, and each fiscal year thereafter, the Secretary of Defense shall submit to the appropriate congressional defense committees a report listing specific procurements by the Department of Defense in that fiscal year of articles, materials, or supplies valued greater than $5,000,000, indexed to inflation, using the exception under section 8302(a)(2)(A) of title 41. This report may be submitted as part of the report required under section 8305 of such title.

''(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'appropriate congressional committees' means the congressional defense committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of title 10, United States Code, is amended by inserting after the item relating to section 2337 the following new item:

''2338. Reporting on foreign purchases.''.

SA 1902. Ms. WARREN (for herself and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 738. COMPTROLLER GENERAL STUDY ON GAMBLING AND PROBLEM GAMBLING BEHAVIOR AMONG MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on gaming facilities at military installations and problem gambling among members of the Armed Forces.

(b) MATTERS INCLUDED.—The study conducted under subsection (a) shall include the following:

(1) With respect to gaming facilities at military installations, disaggregated by each branch of the Armed Forces—

(A) the number, type, and location of such gaming facilities;

(B) the total amount of cash flow through such gaming facilities; and

(C) the amount of revenue generated by such gaming facilities for morale, welfare, and recreation programs of the Department of Defense.

(2) An assessment of the prevalence of and particular risks for problem gambling among members of the Armed Forces, including such recommendations for policies and programs to be carried out by the Department to address problem gambling as the Secretary considers appropriate.

(3) An assessment of the ability and capacity of military health care personnel to adequately diagnose and provide dedicated treatment for problem gambling, including—

(A) a comparison of treatment programs of the Department for alcohol abuse, illegal substance abuse, and tobacco addiction with treatment programs of the Department for problem gambling; and

(B) an assessment of whether additional training for military health care personnel on providing treatment for problem gambling would be beneficial.

(4) An assessment of the financial counseling and related services that are available to members of the Armed Forces and their

dependents who are impacted by problem gambling.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study conducted under subsection (a).

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services and the Committee on Appropriations of the House of Representatives.

SA 1903. Ms. CANTWELL (for herself, Mr. SULLIVAN, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title X, add the following:

SEC. 1024. MULTIYEAR PROCUREMENT AUTHORITY FOR POLAR ICEBREAKERS.

(a) MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy shall enter into multiyear contracts for the procurement of three heavy polar icebreakers and any systems and equipment associated with those vessels.

(b) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary may enter into one or more contracts, beginning in fiscal year 2016, for advance procurement associated with the vessels, systems, and equipment for which authorization to enter into a multiyear contract is provided under subsection (a).

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2016 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(d) MEMORANDUM OF AGREEMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy and the Secretary of the Department in which the Coast Guard is operating shall enter into a memorandum of agreement establishing a process by which the Coast Guard, in concurrence with the Navy, shall—

(1) identify the vessel specifications, capabilities, systems, equipment, and other details required for the design of heavy polar icebreakers capable of fulfilling Navy and Coast Guard mission requirements, with the Coast Guard, as the sole operator of United States Government polar icebreaking assets, retaining final decision authority in the establishment of vessel requirements;

(2) oversee the construction of heavy polar icebreakers authorized to be procured under this section; and

(3) to the extent not adequately addressed in the 1965 Revised Memorandum of Agreement between the Department of the Navy and the Department of the Treasury on the Operation of Icebreakers, transfer heavy polar icebreakers procured through contracts authorized under this section from the Navy to the Coast Guard to be maintained and operated by the Coast Guard.

SA 1904. Mr. MCCAIN (for himself and Mr. KAINE) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1049. PROGRAM TO COMMEMORATE THE 100TH ANNIVERSARY OF THE TOMB OF THE UNKNOWN SOLDIER.

(a) FINDINGS AND PURPOSE.—

(1) FINDINGS.—Congress makes the following findings:

(A) At the end of World War I, Congressman Hamilton Fish championed legislation to create a national focus for Americans to honor the memory of all people who served in the Armed Forces, but especially for those who died unknown and lost to history. The legislation created the Tomb of the Unknown Soldier. Since that time, the remains of a single unknown member of the Armed Forces from World War II and from the Korean War have been entombed at the same memorial. (The remains of an unknown Vietnam War veteran were subsequently identified and removed from the Tomb).

(B) These additions transformed the Tomb of the Unknown Soldier into a transcendent place of honor and reflection. Now known as the Tomb of the Unknowns, the Tomb represents that one place where every American can go to honor every member of our country who has ever worn the uniform of the Nation. Today at the Tomb, American citizens and citizens from other countries come daily to remember and honor the ideals of sacrifice and service.

(C) The Tomb of the Unknown Soldier was formally consecrated on November 11, 1921. Now is the time to prepare for the 100th anniversary of the consecration of the Tomb.

(2) PURPOSE.—The purposes of this section is to provide for the conduct of a formal program to commemorate the 100th anniversary of the consecration of the Tomb of the Unknown Soldier, including authorizing private sector efforts to create nation-wide commemorations on the day of the Washington National Commemoration of the Tomb.

(b) COMMEMORATIVE PROGRAM AUTHORIZED.—The Secretary of Defense may conduct a program to commemorate the 100th anniversary of the consecration of the Tomb of the Unknown Soldier. In conducting the commemorative program, the Secretary shall coordinate, support, and facilitate other programs and activities of the Federal Government, State, and local governments, and other persons and organizations in commemoration of the Tomb.

(c) SCHEDULE.—The Secretary of Defense shall determine the schedule of major events and priority of efforts for the commemorative program in order to ensure achievement of the objectives specified in subsection (d).

(d) COMMEMORATIVE ACTIVITIES AND OBJECTIVES.—The commemorative program may include activities and ceremonies to achieve the following objectives:

(1) To honor the commitment of the United States to never forget or forsake the members of the Armed Forces who served and sacrificed for our Country, including personnel who were held as prisoners of war or listed as missing in action, and to thank and honor the families of these veterans.

(2) To highlight the service of the Armed Forces in times of war or armed conflict and the contributions of Federal agencies and governmental and nongovernmental organizations that served with, or in support of, the Armed Forces.

(3) To pay tribute to the contributions made on the home front by the people of the United States in times of war or armed conflict.

(4) To educate the American public about service and sacrifice on behalf of the United States and the principles that define and unite the United States.

(5) To recognize the contributions and sacrifices made by the allies of the United States during times of war or armed conflict.

(6) To apply the advances in technology to communicate the activities at the Tomb of the Unknowns to people across the United States.

(7) To facilitate the participation of the American people in the centennial commemoration of the Tomb of the Unknown Soldier.

(8) To educate the youth of America on the importance of our citizens' commitment of service and sacrifice to secure and to keep safe, now and in the future, and on America's founding principles and promise of freedom for all who abide in the United States.

(e) NAMES AND SYMBOLS.—The Secretary shall have the sole and exclusive right to use the name ''The United States of America Tomb of the Unknown Soldier Commemoration'', and such seal, emblems, and badges incorporating such name as the Secretary may lawfully adopt. Nothing in this section may be construed to supersede rights that are established or vested before the date of the enactment of this Act.

(f) COMMEMORATIVE FUND.—

(1) ESTABLISHMENT AND ADMINISTRATION.—Upon the commencement of the commemorative program, the Secretary of the Treasury shall establish on the books of the Treasury an account to be known as the ''Tomb of the Unknown Soldier Commemoration Fund'' (in this section referred to as the ''Fund''). The Fund shall be administered by the Secretary of Defense.

(2) DEPOSITS.—Subject to paragraph (3), there shall be deposited into the Fund the following:

(A) Amounts appropriated to the Fund.

(B) Proceeds derived from the use by the Secretary of the exclusive rights described in subsection (e).

(C) Donations made in support of the commemorative program by private and corporate donors.

(D) Any other amounts authorized to deposit into the Fund by law.

(3) LIMITATION ON EXPENDITURES.—Total contributions from the Federal Government to the Fund may not exceed $5,000,000.

(4) USE OF FUND.—Amounts in the Fund shall be available to the Secretary of Defense only for the purpose of conducting the commemorative program. The Secretary shall prescribe such regulations regarding the use of the Fund as the Secretary considers appropriate.

(5) AVAILABILITY.—Amounts in the Fund shall remain available until expended.

(6) TREATMENT OF UNOBLIGATED FUNDS.—Any unobligated amounts in the Fund as of the end of the ❙commemorative period specified in subsection (b) shall remain in the Fund until transferred by law.

(7) BUDGET REQUEST.—The Secretary of Defense may establish a separate budget line for the commemorative program. In the budget justification materials submitted by the Secretary in support of the budget of the President for any fiscal year for which the

Secretary establishes the separate budget line, the Secretary shall—

(A) identify and explain any amounts expended for the commemorative program in the fiscal year preceding the budget request;

(B) identify and explain the amounts being requested to support the commemorative program for the fiscal year of the budget request; and

(C) present a current summary of the fiscal status of the Fund.

(g) ACCEPTANCE OF VOLUNTARY SERVICES.—

(1) AUTHORITY TO ACCEPT SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Secretary of Defense may accept from any person voluntary services to be provided in furtherance of the commemorative program. The Secretary shall prohibit the solicitation of any voluntary services if the nature or circumstances of such solicitation would compromise the integrity or the appearance of integrity of any program of the Department of Defense or of any individual involved in the program.

(2) REIMBURSEMENT OF INCIDENTAL EXPENSES.—The Secretary may provide for reimbursement of incidental expenses incurred by a person providing voluntary services under this subsection. The Secretary shall determine which expenses are eligible for reimbursement under this paragraph.

(h) FINAL REPORT.—Not later than 60 days after the end of the commemorative program, the Secretary of Defense shall submit to Congress a report containing an accounting of the following:

(1) All of the amounts deposited into and expended from the Fund.

(2) Any other amounts expended pursuant to this section.

(3) Any unobligated funds remaining in the Fund as of the date of the report.

SA 1905. Mr. MCCAIN (for himself, Mr. REED, Mr. SULLIVAN, Mr. WICKER, Mr. INHOFE, Mr. GRAHAM, Mrs. ERNST, Mr. COTTON, and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part II of subtitle H of title V, add the following:

SEC. 593. SENSE OF CONGRESS ON THE CUMULATIVE IMPACT OF EFFORTS TO SLOW THE GROWTH OF PERSONNEL COSTS ON JUNIOR ENLISTED PERSONNEL OF THE ARMED FORCES AND THEIR FAMILIES.

Congress—

(1) remains concerned about the cumulative impact of Department of Defense efforts to slow the growth of personnel costs on junior enlisted personnel of the Armed Forces and their families; and

(2) encourages the Department to specifically consider these impacts when developing legislative proposals for consideration by Congress.

SA 1906. Mr. INHOFE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. 236. ASSESSMENT OF EFFECT OF BETTER BUYING POWER 3.0 INITIATIVE ON INDEPENDENT RESEARCH AND DEVELOPMENT.

(a) ASSESSMENT ON CHANGES MADE TO BETTER.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees an assessment of the Better Buying Power 3.0 initiative and its management of independent research and development activities by contractors of the Department of Defense.

(b) ELEMENTS.—The assessment required under subsection (a) shall include the following:

(1) An assessment of the implementation of Better Buying Power 3.0 and how it balances the need for management of reimbursement of Department contractor independent research and development costs with the need to preserve the independence of a contractor to choose which technologies to pursue in its independent research and development program.

(2) An assessment of the costs, risks and benefits of proposed changes to the current guidelines of the Department for authorizing independent research and development by contractors and reimbursing such contractors for expenses relating to such independent research and development.

(3) Recommendations for legislative or administrative action to improve the ways in which the Department authorizes independent research and development by contractors of the Department and reimburses such contractors for expenses relating to such independent research and development.

SA 1907. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, between lines 10 and 11, insert the following:

(c) RE-ENGINING STUDY.—Notwithstanding any other provision of law, the Air Force shall submit their B–52 re-engine analysis to the congressional defense committees not later than 90 days after the date of the enactment of this Act.

SA 1908. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 884. SMALL BUSINESS PROCUREMENT OMBUDSMAN.

(a) IN GENERAL.—The small business offices in the Office of the Secretary of Defense and the military departments shall serve as intermediaries between small businesses and contracting officials prior to the award of contracts in cases where a small business prospective contractor notifies the small business office that it has reason to believe that the contracting process has been modified to preclude a small business from bidding on the contract or would give another contractor an unfair competitive advantage.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude a contractor from exercising the right to initiate a bid protest under a contract.

SA 1909. Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1065. STUDY ON RADIATION EXPOSURE FROM ATOMIC TESTING CLEANUP ON THE ENEWETAK ATOLL.

(a) STUDY REQUIRED.—The Secretary of Defense shall, in coordination with the Secretary of Veterans Affairs, the Secretary of Energy, the Director of the National Cancer Institute, and such others as the Secretary of Defense considers appropriate, conduct a study on radiation exposure from the atomic testing cleanup that occurred on the Enewetak Atoll during the period of years beginning with 1977 and ending with 1980.

(b) ELEMENTS.—The study conducted under subsection (a) shall include the following:

(1) A determination of the amount of radiation that members of the Armed Forces and civilians were exposed to as a result of the atomic testing cleanup that described in subsection (a), especially with respect to those who were located on Runit Island during such cleanup.

(2) Identification of the effects of the exposure described in paragraph (1).

(3) An estimate of the number of surviving veterans and other civilians who were exposed as described in paragraph (1).

SA 1910. Mr. TOOMEY (for himself and Mr. CORNYN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title IV, add the following:

SEC. 417. CHIEF OF THE NATIONAL GUARD BUREAU AUTHORITY RELATING TO ALLOCATIONS TO STATES OF AUTHORIZED NUMBERS OF MEMBERS OF THE NATIONAL GUARD.

(a) MANDATORY REVIEW AND AUTHORIZED REDUCTION.—

(1) IN GENERAL.—The Chief of the National Guard Bureau—

(A) shall review each fiscal year the number of members of the Army National Guard of the United States and the Air National Guard of the United States serving in each State; and

(B) if the Chief of the National Guard Bureau makes the determination described in paragraph (2) with respect to a State in a fiscal year, may reduce the number of members of the Army National Guard of the United States or the Air National Guard of the United States, as applicable, to be allocated to serve in such State during the succeeding fiscal years.

(2) DETERMINATION.—A determination described in this paragraph is a determination with respect to a State that, during any three of the five fiscal years ending in the fiscal year in which such determination is made, the number of members of the Army National Guard of the United States or the Air National Guard of the United States serving in such State is or was fewer than the number authorized for the applicable fiscal year

(b) ADMINISTRATION OF REDUCTIONS.—In administering reductions under subsection (a)(1)(B), the Chief of the National Guard Bureau shall seek to ensure that—

(1) the number of members of the Army National Guard of the United States and the Air National Guard of the United States serving in each State each fiscal year is commensurate with the National Guard force structure in such State during such fiscal year; and

(2) the number of members of the National Guard serving on full-time duty for the purpose of organizing, administering, recruiting, instructing, or training the National Guard serving in each State during each fiscal year is commensurate with the National Guard force structure in such State during such fiscal year.

SA 1911. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT ON DEPARTMENT OF DEFENSE DEFINITION OF AND POLICY REGARDING SOFTWARE SUSTAINMENT.

(a) REPORT ON ASSESSMENT OF DEFINITION AND POLICY.—Not later than March 15, 2016, the Secretary of Defense shall submit to the congressional defense committees and the President pro tempore of the Senate a report setting forth an assessment, obtained by the Secretary for purposes of the report, on the definition used by the Department of Defense for and the policy of the Department regarding software maintenance, particularly with respect to the totality of the term ''software sustainment'' in the definition of ''depot-level maintenance and repair'' under section 2460 of title 10, United States Code.

(b) INDEPENDENT ASSESSMENT.—The assessment obtained for purposes of subsection (a) shall be conducted by a federally funded research and development center (FFRDC), or another appropriate independent entity with expertise in matters described in subsection (a), selected by the Secretary for purposes of the assessment.

(c) ELEMENTS.—

(1) IN GENERAL.—The assessment obtained for purposes of subsection (a) shall address, with respect to software and weapon systems of the Department of Defense (including space systems), each of the following:

(A) Fiscal ramifications of current programs with regard to the size, scope, and cost of software to the program's overall budget, including embedded and support software, percentage of weapon systems' functionality controlled by software, and reliance on proprietary data, processes, and components.

(B) Legal status of the Department in regards to adhering to section 2464(a)(1) of such title with respect to ensuring a ready and controlled source of maintenance and sustainment on software for its weapon systems.

(C) Operational risks and reduction to materiel readiness of current Department weapon systems related to software costs, delays, re-work, integration and functional testing, defects, and documentation errors.

(D) Other matters as identified by the Secretary.

(2) ADDITIONAL MATTERS.—For each of subparagraphs (A) through (C) of paragraph (1), the assessment obtained for purposes of subsection (a) shall include review and analysis regarding sole-source contracts, range of competition, rights in technical data, public and private capabilities, integration lab initial costs and sustaining operations, and total obligation authority costs of software, disaggregated by armed service, for the Department.

(d) DEPARTMENT OF DEFENSE SUPPORT.—The Secretary of Defense shall provide the independent entity described in subsection (b)with timely access to appropriate information, data, resources, and analysis so that the entity may conduct a thorough and independent assessment as required under such subsection.

SA 1912. Mr. WARNER (for himself, Ms. HIRONO, and Mr. KING) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XVI, add the following:

SEC. 1614. STRATEGY FOR COMPREHENSIVE INTERAGENCY REVIEW OF THE UNITED STATES NATIONAL SECURITY OVERHEAD SATELLITE ARCHITECTURE.

(a) REQUIREMENT FOR STRATEGY.—The Director of National Intelligence, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff shall develop a strategy, with milestones and benchmarks, to ensure that there is a comprehensive interagency review of policies and practices for planning and acquiring national security satellite systems and architectures, including capabilities of commercial systems and partner countries, consistent with the National Space Policy issued on June 28, 2010, and section 1601 of this Act. Such strategy shall, where applicable, account for the unique missions and authorities vested in the Department of Defense and the intelligence community.

(b) ELEMENTS.—The strategy required by subsection (a) shall ensure that the United States national security overhead satellite architecture—

(1) meets the needs of the United States in peace time and is resilient in war time;

(2) responsibly stewards the taxpayers' dollars;

(3) accurately takes into account cost and performance tradeoffs;

(4) meets realistic requirements;

(5) produces excellence, innovation, competition, and a robust industrial base;

(6) aims to produce innovative satellite systems in less than 5 years that are able to leverage common, standardized design elements and commercially available technologies;

(7) takes advantage of rapid advances in commercial technology, innovation, and commercial-like acquisition practices;

(8) is open to innovative concepts such as distributed, disaggregated architectures that could allow for better resiliency, reconstitution, replenishment, and rapid technological refresh; and

(9) emphasizes deterrence and recognizes the importance of offensive and defensive space control capabilities.

(c) REPORT ON STRATEGY.—Not later than February 28, 2016, the Director of National Intelligence, the Secretary of Defense, and the Chairman of the Joint Chiefs of Staff shall report to the congressional defense committees, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives on the strategy required by subsection (a).

SA 1913. Mrs. SHAHEEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPEAL OF DUPLICATIVE INSPECTION AND GRADING PROGRAM.

(a) FOOD, CONSERVATION, AND ENERGY ACT OF 2008.—Effective June 18, 2008, section 11016 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2130) is repealed.

(b) AGRICULTURAL ACT OF 2014.—Effective February 7, 2014, section 12106 of the Agricultural Act of 2014 (Public Law 113–79; 128 Stat. 981) is repealed.

(c) APPLICATION.—The Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) shall be applied and administered as if the provisions of law struck by this section had not been enacted.

SA 1914. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

After section 1002, insert the following:

SEC. 1002A. AUDIT READINESS OF THE FINANCIAL STATEMENTS OF THE DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Article 1, Section 9 of the Constitution of the United States requires of the agencies of the Federal Government, including the Department of Defense, that ''a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time''.

(2) Congress passed a series of laws in the 1990s, beginning with the Chief Financial Officers Act of 1990, to require that all Government agencies and departments obtain opinions on their financial statements.

(3) On September 10, 2001, former Secretary of Defense Donald Rumsfeld, stated that ''[a]ccording to some estimates, we cannot track $2,300,000,000 in transactions. We cannot share information from floor to floor in this building because it's stored on dozens of technological systems that are inaccessible or incompatible''.

(4) The National Defense Authorization Act for Fiscal Year 2010 codified a statutory requirement that the Department of Defense financial statements be validated as ready for audit not later than September 30, 2017.

(5) On April 21, 2015, the Deputy Chief Management Officer of the Department of Defense testified before the Committee on Armed Services of the Senate that ''I have long been skeptical of the ability of the Department to achieve the statutory timeline for producing auditable financial statements''.

(6) In September 2010, the Government Accountability Office stated that past expenditures by the Department of Defense of $5,800,000,000 to improve financial information, and billions of dollars more of anticipated expenditures on new information technology systems for that purpose, may not suffice to achieve full audit readiness of the financial statement of the Department.

(7) During his confirmation hearing in 2015, Secretary of Defense Ashton Carter submitted testimony stating that ''[i]t is time that DoD finally lives up to its moral and legal obligation to be accountable to those who pay its bills. I intend to do everything we can—including holding people to account—to get this done''.

(8) The financial management practices of the Department of Defense have been on the ''High Risk'' list of the Government Accountability Office since 1995. As a result of poor financial management, the Department is unable to ''control costs; ensure basic accountability; anticipate future costs and claims on the budget; measure performance; maintain funds control; and prevent and detect fraud, waste, and abuse''.

(b) FINANCIAL AUDIT FUND.—The Secretary of Defense shall establish a fund to be known as the ''Financial Audit Fund'' (in this section referred to as the ''Fund'') for the purpose of supporting initiatives, programs, and activities that will assist the organizations, components, and elements of the Department of Defense in—

(1) improving the audit readiness of the financial statements of such organizations, components, and elements;

(2) obtaining unmodified audit opinions of the financial statements of such organizations, components, and elements; and

(3) maintaining unmodified audit opinions of the financial statements of such organizations, components, and elements.

(c) ELEMENTS.—Amounts in the Fund shall include the following:

(1) Amounts appropriated to the Fund.

(2) Amounts transferred to the Fund under subsection (e).

(3) Any other amounts authorized for transfer or deposit into the Fund by law.

(d) AVAILABILITY.—

(1) IN GENERAL.—Amounts in the Fund shall be available for initiatives, programs, and activities described in subsection (b) that are approved by the Secretary to support and maintain the audit readiness of the financial statement of the organizations, components, and elements of the Department of Defense.

(2) TRANSFER.—Amounts in the Fund may be transferred to any other account of the Department in order to fund initiatives, programs, and activities described in paragraph (1). Any amounts transferred from the Fund to an account shall be merged with amounts in the account to which transferred and shall be available subject to the same terms and conditions as amounts in such account, except that amounts so transferred shall remain available until expended. The authority to transfer amounts under this paragraph is in addition to any other authority of the Secretary to transfer amounts by law.

(3) PRIORITY.—In approving initiatives, programs, and activities to be funded with amounts in the Fund, the Secretary shall accord a priority to initiatives, programs, and activities that are designed to maintain unmodified audit opinions of financial statement of organizations, components, and elements of the Department that have previously obtained unmodified audit opinions of their financial statements.

(e) FAILURE TO ACHIEVE AUDIT READINESS.—

(1) REDUCTION IN AMOUNT AVAILABLE.—Subject to paragraph (2), if during any fiscal year after fiscal year 2017 the Secretary determines that an organization, component, or element of the Department has not achieved audit readiness of its financial statements for the calender year ending during such fiscal year—

(A) the amount available to such organization, component, or element for the fiscal year in which such determination is made shall be equal to—

(i) the amount otherwise authorized to be appropriated for such organization, component, or element for the fiscal year, minus

(ii) an amount equal to 0.5 percent of the amount described in clause (i); and

(B) the Secretary shall deposit in the Fund pursuant to subsection (b)(2) all amounts unavailable to organizations, components, and elements of the Department in the fiscal year pursuant to determinations made under subparagraph (A).

(2) INAPPLICABILITY TO AMOUNTS FOR MILITARY PERSONNEL.—Any reduction applicable to an organization, component, or element of the Department under paragraph (1) for a fiscal year shall not apply to amounts, if any, available to such organization, component, or element for the fiscal year for military personnel.

SA 1915. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. SENSE OF SENATE ON THE IMPORTANCE OF INTERAGENCY COOPERATION FOR THE UNITED STATES NORTHERN COMMAND.

(a) FINDINGS.—The Senate makes the following findings:

(1) The Commander of United States Northern Command (USNORTHCOM) testified before the Committee on Armed Services of the Senate that since September 11, 2001, ''resurgent state actors have invested in new capabilities that make North America vulnerable in ways not seen in a generation'' and particularly that the ''unpredictable cascading impacts of a cyberspace attack have the potential to easily outpace those of a natural disaster''.

(2) The Joint Cyber Center was established in the United States Northern Command to integrate cybersecurity efforts into headquarters missions by improving situational awareness in the cyber domain, improving the defense of the networks of the Command, and providing cyber consequence response and recovery support to civil authorities.

(3) The responsibilities of United States Northern Command for homeland defense (including countering illegal drugs and combating transnational organized crime) and defense support of civil authorities (including domestic disaster relief operations during wildfires, hurricanes, earthquakes, and floods) depend on interagency partnerships and cooperation.

(4) During the past fire season, Air Force Reserve and Air National Guard C–130 aircraft equipped with the United States Forest Service Modular Airborne Fire Fighting System made 132 airdrops, releasing nearly 250,000 gallons of fire retardant to combat wildfires.

(5) The regional partnership of United States Northern Command with Mexico and the Bahamas in combating the trafficking of illegal drugs and persons and in training law enforcement and disaster relief personnel depends on cooperation with other agencies of the United States Government such as the Department of State, Department of Homeland Security, and the Federal Bureau of Investigation.

(6) The Commander of United States Northern Command is also the Commander of the North American Aerospace Defense Command (NORAD), the bi-national command with Canada. For more than 57 years, the United States has partnered with our vital ally to the north to provide aerospace warning, aerospace defense, and maritime warning in defense of North America. Since September 11, 2001, North American Aerospace Defense Command fighters have responded to more than 5,000 possible air threats in the United States and flown more than 62,500 sorties in defense of our homeland. Successful execution on the North American Aerospace Defense Command mission relies heavily on timely communication and seamless integration with numerous agencies of the United States Government such as the Federal Aviation Administration, the Department of Homeland Security, and Federal law enforcement agencies.

(b) SENSE OF SENATE.—It is the sense of the Senate that—

(1) continued interagency cooperation is vital to the successful discharge of the missions of the United States Northern Command, including homeland defense, cybersecurity, counterterrorism, counterdrug efforts, and defense support of civil authorities; and

(2) the United States Northern Command should continue its efforts to integrate cyberspace operations into its contingency plans and training exercises to understand better how cyber-attacks could be mitigated or prevented and how other Federal and

State government partners can effectively respond should such attacks occur.

SA 1916. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. DESIGNATION OF CONSTRUCTION AGENT FOR CERTAIN CONSTRUCTION PROJECTS BY DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall seek to enter into an agreement subject to subsections (b), (c), and (e) of section 1535 of title 31, United States Code, with the Army Corps of Engineers or another entity of the Federal Government to serve, on a reimbursable basis, as the construction agent on all construction projects of the Department of Veterans Affairs specifically authorized by Congress after the date of the enactment of this Act that involve a total expenditure of more than $100,000,000, excluding any acquisition by exchange.

(b) AGREEMENT.—Under the agreement entered into under subsection (a), the construction agent shall provide design, procurement, and construction management services for the construction, alteration, and acquisition of facilities of the Department.

SA 1917. Mr. REED (for himself and Ms. HIRONO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 314. REPORT ON USE OF DEMAND RESPONSE PROGRAMS.

(a) REPORT.—Not later than September 30, 2016, the Secretary of Defense shall submit to the congressional defense committees a report on the use of demand response programs at military installations.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) A description of the progress made in identifying installations where the use of demand response can be economically beneficial to the Department of Defense.

(2) A description of challenges to participation in demand response programs.

(3) A description of effective incentives for the participation of installations in these programs, including options for installations to gain access to the funds they earn for their participation.

(4) An assessment of possibilities for future expansion of demand response participation by the Department.

(5) An assessment of methods for receiving direct payments from utilities, independent system operators, and third party aggregators for participation in demand response programs and utilizing these payments for energy-related purposes at the participating installations.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex as necessary.

SA 1918. Mr. GRASSLEY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. JUDICIAL REVIEW OF VISA REVOCATION.

(a) IN GENERAL.—Section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)) is amended by striking ''There shall be no means of judicial review'' and all that follows and inserting the following: ''Notwithstanding any other provision of law, including section 2241 of title 28, United States Code, any other habeas corpus provision, and sections 1361 and 1651 of such title, no court has jurisdiction to review a revocation under this subsection or to hear any claim arising from such a revocation.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall—

(1) take effect on the date of the enactment of this Act;

(2) apply to all visas issued before, on, or after such date; and

(3) apply to any claim pending on, or filed after, the date of the enactment of this Act.

SA 1919. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle ____—Safe Communities

SEC. ___1. SHORT TITLE.

This subtitle may be cited as the ''Keep Our Communities Safe Act of 2015''.

SEC. ___2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) Constitutional rights should be upheld and protected;

(2) Congress intends to uphold the Constitutional principle of due process; and

(3) due process of the law is a right afforded to everyone in the United States.

SEC. ___3. DETENTION OF DANGEROUS ALIENS DURING REMOVAL PROCEEDINGS.

Section 236 of the Immigration and Nationality Act (8 U.S.C. 1226) is amended—

(1) by striking ''Attorney General'' each place such term appears (except in the second place it appears in subsection (a)) and inserting ''Secretary of Homeland Security'';

(2) in subsection (a)—

(A) in the matter preceding paragraph (1), by inserting ''the Secretary of Homeland Security or'' before ''the Attorney General—''; and

(B) in paragraph (2)(B), by striking ''conditional parole'' and inserting ''recognizance'';

(3) in subsection (b)—

(A) in the subsection heading, by striking ''PAROLE'' and inserting ''RECOGNIZANCE''; and

(B) by striking ''parole'' and inserting ''recognizance'';

(4) in subsection (c)(1), by striking the undesignated matter following subparagraph (D) and inserting the following:

''any time after the alien is released, without regard to whether an alien is released related to any activity, offense, or conviction described in this paragraph; to whether the alien is released on parole, supervised release, or probation; or to whether the alien may be arrested or imprisoned again for the same offense. If the activity described in this paragraph does not result in the alien being taken into custody by any person other than the Secretary, then when the alien is brought to the attention of the Secretary or when the Secretary determines it is practical to take such alien into custody, the Secretary shall take such alien into custody.'';

(5) in subsection (e), by striking ''Attorney General's'' and inserting ''Secretary of Homeland Security's''; and

(6) by adding at the end the following:

''(f) LENGTH OF DETENTION.—(1) Notwithstanding any other provision of this section, an alien may be detained under this section for any period, without limitation, except as provided in subsection (h), until the alien is subject to a final order of removal.

''(2) The length of detention under this section shall not affect a detention under section 241.

''(g) ADMINISTRATIVE REVIEW.—(1) The Attorney General's review of the Secretary's custody determinations under subsection (a) shall be limited to whether the alien may be detained, released on bond (of at least $1,500 with security approved by the Secretary), or released with no bond. Any review involving an alien described in paragraph (2)(D) shall be limited to a determination of whether the alien is properly included in such category.

''(2) The Attorney General shall review the Secretary's custody determinations for the following classes of aliens:

''(A) Aliens in exclusion proceedings.

''(B) Aliens described in section 212(a)(3) or 237(a)(4).

''(C) Aliens described in subsection (c).

''(D) Aliens in deportation proceedings subject to section 242(a)(2) (as in effect between April 24, 1996 and April 1, 1997).

''(h) RELEASE ON BOND.—(1) Subject to paragraphs (2) and (3), an alien detained under subsection (a) may seek release on bond.

''(2) No bond may be granted under this subsection except to an alien who establishes, by clear and convincing evidence, that the alien is not a flight risk or a risk to another person or the community.

''(3) No alien detained under subsection (c) may seek release on bond.''.

SEC. ___4. ALIENS ORDERED REMOVED.

Section 241(a) of the Immigration and Nationality Act (8 U.S.C. 1231(a)) is amended—

(1) by striking ''Attorney General'' each place it appears, except for the first place it appears in paragraph (4)(B)(i), and inserting ''Secretary of Homeland Security'';

(2) in paragraph (1)—

(A) by striking subparagraphs (B) and (C) and inserting the following:

''(B) BEGINNING OF PERIOD.—The removal period begins on the latest of—

''(i) the date on which the order of removal becomes administratively final;

''(ii) the date on which the alien is taken into such custody if the alien is not in the custody of the Secretary on the date on which the order of removal becomes administratively final; and

''(iii) the date on which the alien is taken into the custody of the Secretary after the alien is released from detention or confinement if the alien is detained or confined (except for an immigration process) on the date on which the order of removal becomes administratively final.

''(C) SUSPENSION OF PERIOD.—

''(i) EXTENSION.—The removal period shall be extended beyond a period of 90 days and the Secretary may, in the Secretary's sole discretion, keep the alien in detention during such extended period, if—

''(I) the alien fails or refuses to make all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure or conspires or acts to prevent the alien's removal that is subject to an order of removal;

''(II) a court, the Board of Immigration Appeals, or an immigration judge orders a stay of removal of an alien who is subject to an administratively final order of removal;

''(III) the Secretary transfers custody of the alien pursuant to law to another Federal agency or a State or local government agency in connection with the official duties of such agency; or

''(IV) a court or the Board of Immigration Appeals orders a remand to an immigration judge or the Board of Immigration Appeals, during the time period when the case is pending a decision on remand (with the removal period beginning anew on the date that the alien is ordered removed on remand).

''(ii) RENEWAL.—If the removal period has been extended under clause (i), a new removal period shall be deemed to have begun on the date on which—

''(I) the alien makes all reasonable efforts to comply with the removal order, or to fully cooperate with the Secretary's efforts to establish the alien's identity and carry out the removal order;

''(II) the stay of removal is no longer in effect; or

''(III) the alien is returned to the custody of the Secretary.

''(iii) MANDATORY DETENTION FOR CERTAIN ALIENS.—The Secretary shall keep an alien described in subparagraphs (A) through (D) of section 236(c)(1) in detention during the extended period described in clause (i).

''(iv) SOLE FORM OF RELIEF.—An alien may only seek relief from detention under this subparagraph by filing an application for a writ of habeas corpus in accordance with chapter 153 of title 28, United States Code. No alien whose period of detention is extended under this subparagraph shall have the right to seek release on bond.'';

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by inserting ''or is not detained pursuant to paragraph (6)'' after ''the removal period''; and

(B) by amending subparagraph (D) to read as follows:

''(D) to obey reasonable restrictions on the alien's conduct or activities that the Secretary prescribes for the alien—

''(i) to prevent the alien from absconding;

''(ii) for the protection of the community; or

''(iii) for other purposes related to the enforcement of immigration laws.'';

(4) in paragraph (4)(A), by striking ''paragraph (2)'' and inserting ''subparagraph (B)''; and

(5) by amending paragraph (6) to read as follows:

''(6) ADDITIONAL RULES FOR DETENTION OR RELEASE OF CERTAIN ALIENS.—

''(A) DETENTION REVIEW PROCESS FOR COOPERATIVE ALIENS ESTABLISHED.—

''(i) IN GENERAL.—The Secretary of Homeland Security shall establish an administrative review process to determine whether an alien who is not otherwise subject to mandatory detention, who has made all reasonable efforts to comply with a removal order and to cooperate fully with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure, and who has not conspired or acted to prevent removal should be detained or released on conditions.

''(ii) DETERMINATION.—The Secretary shall make a determination whether to release an alien after the removal period in accordance with subparagraph (B), which—

''(I) shall include consideration of any evidence submitted by the alien; and

''(II) may include consideration of any other evidence, including—

''(aa) any information or assistance provided by the Secretary of State or other Federal official; and

''(bb) any other information available to the Secretary of Homeland Security pertaining to the ability to remove the alien.

''(B) AUTHORITY TO DETAIN BEYOND REMOVAL PERIOD.—

''(i) IN GENERAL.—The Secretary of Homeland Security may continue to detain an alien for 90 days beyond the removal period (including any extension of the removal period under paragraph (1)(C)). An alien whose detention is extended under this subparagraph shall not have the right to seek release on bond.

''(ii) SPECIFIC CIRCUMSTANCES.—The Secretary may continue to detain an alien beyond the 90 days authorized under clause (i)—

''(I) until the alien is removed, if the Secretary determines that there is a significant likelihood that the alien—

''(aa) will be removed in the reasonably foreseeable future;

''(bb) would be removed in the reasonably foreseeable future; or

''(cc) would have been removed if the alien had not—

''(AA) failed or refused to make all reasonable efforts to comply with the removal order;

''(BB) failed or refused to cooperate fully with the Secretary's efforts to establish the alien's identity and carry out the removal order, including making timely application in good faith for travel or other documents necessary to the alien's departure; or

''(CC) conspired or acted to prevent removal;

''(II) until the alien is removed, if the Secretary of Homeland Security certifies in writing—

''(aa) in consultation with the Secretary of Health and Human Services, that the alien has a highly contagious disease that poses a threat to public safety;

''(bb) after receipt of a written recommendation from the Secretary of State, that release of the alien is likely to have serious adverse foreign policy consequences for the United States;

''(cc) based on information available to the Secretary of Homeland Security (including classified, sensitive, or national security information, and without regard to the grounds upon which the alien was ordered removed), that there is reason to believe that the release of the alien would threaten the national security of the United States; or

''(dd) that the release of the alien will threaten the safety of the community or any person, conditions of release cannot reasonably be expected to ensure the safety of the community or of any person; and

''(AA) the alien has been convicted of 1 or more aggravated felonies (as defined in section 101(a)(43)(A)) or of 1 or more crimes identified by the Secretary of Homeland Security by regulation, or of 1 or more attempts or conspiracies to commit any such aggravated felonies or such identified crimes, if the aggregate term of imprisonment for such attempts or conspiracies is at least 5 years; or

''(BB) the alien has committed 1 or more crimes of violence (as defined in section 16 of title 18, United States Code, but not including a purely political offense) and, because of a mental condition or personality disorder and behavior associated with that condition or disorder, the alien is likely to engage in acts of violence in the future; or

''(III) pending a certification under subclause (II), if the Secretary of Homeland Security has initiated the administrative review process not later than 30 days after the expiration of the removal period (including any extension of the removal period under paragraph (1)(C)).

''(iii) NO RIGHT TO BOND HEARING.—An alien whose detention is extended under this subparagraph shall not have a right to seek release on bond, including by reason of a certification under clause (ii)(II).

''(C) RENEWAL AND DELEGATION OF CERTIFICATION.—

''(i) RENEWAL.—The Secretary of Homeland Security may renew a certification under subparagraph (B)(ii)(II) every 6 months after providing an opportunity for the alien to request reconsideration of the certification and to submit documents or other evidence in support of that request. If the Secretary does not renew a certification, the Secretary may not continue to detain the alien under subparagraph (B)(ii)(II).

''(ii) DELEGATION.—Notwithstanding section 103, the Secretary may not delegate the authority to make or renew a certification described in item (bb), (cc), or (dd) of subparagraph (B)(ii)(II) below the level of the Assistant Secretary for Immigration and Customs Enforcement.

''(iii) HEARING.—The Secretary may request that the Attorney General or the Attorney General's designee provide for a hearing to make the determination described in subparagraph (B)(ii)(II)(dd)(BB).

''(D) RELEASE ON CONDITIONS.—If it is determined that an alien should be released from detention by a Federal court, the Board of Immigration Appeals, or if an immigration judge orders a stay of removal, the Secretary of Homeland Security may impose conditions on release in accordance with paragraph (3).

''(E) REDETENTION.—

''(i) IN GENERAL.—The Secretary of Homeland Security, without any limitations other than those specified in this section, may detain any alien subject to a final removal order who is released from custody if—

''(I) removal becomes likely in the reasonably foreseeable future;

''(II) the alien fails to comply with the conditions of release or to continue to satisfy the conditions described in subparagraph (A); or

''(III) upon reconsideration, the Secretary determines that the alien can be detained under subparagraph (B).

''(ii) APPLICABILITY.—This section shall apply to any alien returned to custody pursuant to this subparagraph as if the removal

period terminated on the day of the redetention.

''(F) REVIEW OF DETERMINATIONS BY SECRETARY.—A determination by the Secretary under this paragraph shall not be subject to review by any other agency.''.

SEC. ___5. SEVERABILITY.

If any of the provisions of this subtitle, any amendment made by this subtitle, or the application of any such provision to any person or circumstance, is held to be invalid for any reason, the remainder of this subtitle, the amendments made by this subtitle, and the application of the provisions and amendments made by this subtitle to any other person or circumstance shall not be affected by such holding.

SEC. ___6. EFFECTIVE DATES.

(a) APPREHENSION AND DETENTION OF ALIENS.—The amendments made by section __3 shall take effect on the date of the enactment of this Act. Section 236 of the Immigration and Nationality Act, as amended by section __3, shall apply to any alien in detention under the provisions of such section on or after such date of enactment.

(b) ALIENS ORDERED REMOVED.—The amendments made by section __4 shall take effect on the date of the enactment of this Act and shall apply to—

(1) all aliens subject to a final administrative removal, deportation, or exclusion order that was issued before, on, or after the date of the enactment of this Act; and

(2) acts and conditions occurring or existing before, on, or after such date of enactment.

SA 1920. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle ___E-Verify

SEC. ___1. SHORT TITLE.

This subtitle may be cited as the ''Accountability Through Electronic Verification Act''.

SEC. ___2. PERMANENT REAUTHORIZATION.

Section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104–208; 8 U.S.C. 1324a note) is amended by striking ''Unless the Congress otherwise provides, the Secretary of Homeland Security shall terminate a pilot program on September 30, 2015.''.

SEC. ___3. MANDATORY USE OF E-VERIFY.

(a) FEDERAL GOVERNMENT.—Section 402(e)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended—

(1) by amending subparagraph (A) to read as follows:

''(A) EXECUTIVE DEPARTMENTS AND AGENCIES.—Each department and agency of the Federal Government shall participate in E-Verify by complying with the terms and conditions set forth in this section.''; and

(2) in subparagraph (B), by striking '', that conducts hiring in a State'' and all that follows and inserting ''shall participate in E-Verify by complying with the terms and conditions set forth in this section.''.

(b) FEDERAL CONTRACTORS; CRITICAL EMPLOYERS.—Section 402(e) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended by subsection (a), is further amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) UNITED STATES CONTRACTORS.—Any person, employer, or other entity that enters into a contract with the Federal Government shall participate in E-Verify by complying with the terms and conditions set forth in this section.

''(3) DESIGNATION OF CRITICAL EMPLOYERS.—Not later than 7 days after the date of the enactment of this paragraph, the Secretary of Homeland Security shall—

''(A) conduct an assessment of employers that are critical to the homeland security or national security needs of the United States;

''(B) designate and publish a list of employers and classes of employers that are deemed to be critical pursuant to the assessment conducted under subparagraph (A); and

''(C) require that critical employers designated pursuant to subparagraph (B) participate in E-Verify by complying with the terms and conditions set forth in this section not later than 30 days after the Secretary makes such designation.''.

(c) ALL EMPLOYERS.—Section 402 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, as amended by this section, is further amended—

(1) by redesignating subsection (f) as subsection (g); and

(2) by inserting after subsection (e) the following:

''(f) MANDATORY PARTICIPATION IN E-VERIFY.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), all employers in the United States shall participate in E-Verify, with respect to all employees recruited, referred, or hired by such employer on or after the date that is 1 year after the date of the enactment of this subsection.

''(2) USE OF CONTRACT LABOR.—Any employer who uses a contract, subcontract, or exchange to obtain the labor of an individual in the United States shall certify in such contract, subcontract, or exchange that the employer uses E-Verify. If such certification is not included in a contract, subcontract, or exchange, the employer shall be deemed to have violated paragraph (1).

''(3) INTERIM MANDATORY PARTICIPATION.—

''(A) IN GENERAL.—Before the date set forth in paragraph (1), the Secretary of Homeland Security shall require any employer or class of employers to participate in E-Verify, with respect to all employees recruited, referred, or hired by such employer if the Secretary has reasonable cause to believe that the employer is or has been engaged in a material violation of section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a).

''(B) NOTIFICATION.—Not later than 14 days before an employer or class of employers is required to begin participating in E-Verify pursuant to subparagraph (A), the Secretary shall provide such employer or class of employers with—

''(i) written notification of such requirement; and

''(ii) appropriate training materials to facilitate compliance with such requirement.''.

SEC. ___4. CONSEQUENCES OF FAILURE TO PARTICIPATE.

(a) IN GENERAL.—Section 402(e)(5) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), as redesignated by section __3(b)(1), is amended to read as follows:

''(5) CONSEQUENCES OF FAILURE TO PARTICIPATE.—If a person or other entity that is required to participate in E-Verify fails to comply with the requirements under this title with respect to an individual—

''(A) such failure shall be treated as a violation of section 274A(a)(1)(B) with respect to such individual; and

''(B) a rebuttable presumption is created that the person or entity has violated section 274A(a)(1)(A).''.

(b) PENALTIES.—Section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a) is amended—

(1) in subsection (e)—

(A) in paragraph (4)—

(i) in subparagraph (A), in the matter preceding clause (i), by inserting '', subject to paragraph (10),'' after ''in an amount'';

(ii) in subparagraph (A)(i), by striking ''not less than $250 and not more than $2,000'' and inserting ''not less than $2,500 and not more than $5,000'';

(iii) in subparagraph (A)(ii), by striking ''not less than $2,000 and not more than $5,000'' and inserting ''not less than $5,000 and not more than $10,000'';

(iv) in subparagraph (A)(iii), by striking ''not less than $3,000 and not more than $10,000'' and inserting ''not less than $10,000 and not more than $25,000''; and

(v) by amending subparagraph (B) to read as follows:

''(B) may require the person or entity to take such other remedial action as is appropriate.'';

(B) in paragraph (5)—

(i) by inserting '', subject to paragraphs (10) through (12),'' after ''in an amount'';

(ii) by striking ''$100'' and inserting ''$1,000'';

(iii) by striking ''$1,000'' and inserting ''$25,000'';

(iv) by striking ''the size of the business of the employer being charged, the good faith of the employer'' and inserting ''the good faith of the employer being charged''; and

(v) by adding at the end the following: ''Failure by a person or entity to utilize the employment eligibility verification system as required by law, or providing information to the system that the person or entity knows or reasonably believes to be false, shall be treated as a violation of subsection (a)(1)(A).''; and

(C) by adding at the end the following:

''(10) EXEMPTION FROM PENALTY.—In the case of imposition of a civil penalty under paragraph (4)(A) with respect to a violation of paragraph (1)(A) or (2) of subsection (a) for hiring or continuation of employment or recruitment or referral by person or entity and in the case of imposition of a civil penalty under paragraph (5) for a violation of subsection (a)(1)(B) for hiring or recruitment or referral by a person or entity, the penalty otherwise imposed may be waived or reduced if the violator establishes that the violator acted in good faith.

''(11) AUTHORITY TO DEBAR EMPLOYERS FOR CERTAIN VIOLATIONS.—

''(A) IN GENERAL.—If a person or entity is determined by the Secretary of Homeland Security to be a repeat violator of paragraph (1)(A) or (2) of subsection (a), or is convicted of a crime under this section, such person or entity may be considered for debarment from the receipt of Federal contracts, grants, or cooperative agreements in accordance with the debarment standards and pursuant to the debarment procedures set forth in the Federal Acquisition Regulation.

''(B) DOES NOT HAVE CONTRACT, GRANT, AGREEMENT.—If the Secretary of Homeland Security or the Attorney General wishes to have a person or entity considered for debarment in accordance with this paragraph, and such an person or entity does not hold a Federal contract, grant or cooperative agreement, the Secretary or Attorney General shall refer the matter to the Administrator

of General Services to determine whether to list the person or entity on the List of Parties Excluded from Federal Procurement, and if so, for what duration and under what scope.

''(C) HAS CONTRACT, GRANT, AGREEMENT.—If the Secretary of Homeland Security or the Attorney General wishes to have a person or entity considered for debarment in accordance with this paragraph, and such person or entity holds a Federal contract, grant or cooperative agreement, the Secretary or Attorney General shall advise all agencies or departments holding a contract, grant, or cooperative agreement with the person or entity of the Government's interest in having the person or entity considered for debarment, and after soliciting and considering the views of all such agencies and departments, the Secretary or Attorney General may waive the operation of this paragraph or refer the matter to any appropriate lead agency to determine whether to list the person or entity on the List of Parties Excluded from Federal Procurement, and if so, for what duration and under what scope.

''(D) REVIEW.—Any decision to debar a person or entity under in accordance with this paragraph shall be reviewable pursuant to part 9.4 of the Federal Acquisition Regulation.''; and

(2) in subsection (f)—

(A) by amending paragraph (1) to read as follows:

''(1) CRIMINAL PENALTY.—Any person or entity which engages in a pattern or practice of violations of subsection (a)(1) or (2) shall be fined not more than $15,000 for each unauthorized alien with respect to which such a violation occurs, imprisoned for not less than 1 year and not more than 10 years, or both, notwithstanding the provisions of any other Federal law relating to fine levels.''; and

(B) in paragraph (2), by striking ''Attorney General'' each place it appears and inserting ''Secretary of Homeland Security''.

SEC. ___5. PREEMPTION; LIABILITY.

Section 402 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note), as amended by this subtitle, is further amended by adding at the end the following:

''(h) LIMITATION ON STATE AUTHORITY.—

''(1) PREEMPTION.—A State or local government may not prohibit a person or other entity from verifying the employment authorization of new hires or current employees through E-Verify.

''(2) LIABILITY.—A person or other entity that participates in E-Verify may not be held liable under any Federal, State, or local law for any employment-related action taken with respect to the wrongful termination of an individual in good faith reliance on information provided through E-Verify.''.

SEC. ___6. EXPANDED USE OF E-VERIFY.

Section 403(a)(3)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended to read as follows:

''(A) IN GENERAL.—

''(i) BEFORE HIRING.—The person or other entity may verify the employment eligibility of an individual through E-Verify before the individual is hired, recruited, or referred if the individual consents to such verification. If an employer receives a tentative nonconfirmation for an individual, the employer shall comply with procedures prescribed by the Secretary, including—

''(I) providing the individual employees with private, written notification of the finding and written referral instructions;

''(II) allowing the individual to contest the finding; and

''(III) not taking adverse action against the individual if the individual chooses to contest the finding.

''(ii) AFTER EMPLOYMENT OFFER.—The person or other entity shall verify the employment eligibility of an individual through E-Verify not later than 3 days after the date of the hiring, recruitment, or referral, as the case may be.

''(iii) EXISTING EMPLOYEES.—Not later than 3 years after the date of the enactment of the Accountability Through Electronic Verification Act, the Secretary shall require all employers to use E-Verify to verify the identity and employment eligibility of any individual who has not been previously verified by the employer through E-Verify.''.

SEC. ___7. REVERIFICATION.

Section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended by adding at the end the following:

''(5) REVERIFICATION.—Each person or other entity participating in E-Verify shall use the E-Verify confirmation system to reverify the work authorization of any individual not later than 3 days after the date on which such individual's employment authorization is scheduled to expire (as indicated by the Secretary or the documents provided to the employer pursuant to section 274A(b) of the Immigration and Nationality Act (8 U.S.C. 1324a(b))), in accordance with the procedures set forth in this subsection and section 402.''.

SEC. ___8. HOLDING EMPLOYERS ACCOUNTABLE.

(a) CONSEQUENCES OF NONCONFIRMATION.—Section 403(a)(4)(C) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended to read as follows:

''(C) CONSEQUENCES OF NONCONFIRMATION.—

''(i) TERMINATION AND NOTIFICATION.—If the person or other entity receives a final nonconfirmation regarding an individual, the employer shall immediately—

''(I) terminate the employment, recruitment, or referral of the individual; and

''(II) submit to the Secretary any information relating to the individual that the Secretary determines would assist the Secretary in enforcing or administering United States immigration laws.

''(ii) CONSEQUENCE OF CONTINUED EMPLOYMENT.—If the person or other entity continues to employ, recruit, or refer the individual after receiving final nonconfirmation, a rebuttable presumption is created that the employer has violated section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a).''.

(b) INTERAGENCY NONCONFIRMATION REPORT.—Section 405 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended by adding at the end the following:

''(c) INTERAGENCY NONCONFIRMATION REPORT.—

''(1) IN GENERAL.—The Director of U.S. Citizenship and Immigration Services shall submit a weekly report to the Assistant Secretary of Immigration and Customs Enforcement that includes, for each individual who receives final nonconfirmation through E-Verify—

''(A) the name of such individual;

''(B) his or her Social Security number or alien file number;

''(C) the name and contact information for his or her current employer; and

''(D) any other critical information that the Assistant Secretary determines to be appropriate.

''(2) USE OF WEEKLY REPORT.—The Secretary of Homeland Security shall use information provided under paragraph (1) to enforce compliance of the United States immigration laws.''.

SEC. ___9. INFORMATION SHARING.

The Commissioner of Social Security, the Secretary of Homeland Security, and the Secretary of the Treasury shall jointly establish a program to share information among such agencies that may or could lead to the identification of unauthorized aliens (as defined in section 274A(h)(3) of the Immigration and Nationality Act), including any no-match letter and any information in the earnings suspense file.

SEC. ___10. FORM I–9 PROCESS.

Not later than 9 months after the date of the enactment of this Act, the Secretary of Homeland Security shall submit a report to Congress that contains recommendations for—

(1) modifying and simplifying the process by which employers are required to complete and retain a Form I–9 for each employee pursuant to section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a); and

(2) eliminating the process described in paragraph (1).

SEC. ___11. ALGORITHM.

Section 404(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended to read as follows:

''(d) DESIGN AND OPERATION OF SYSTEM.—E-Verify shall be designed and operated—

''(1) to maximize its reliability and ease of use by employers;

''(2) to insulate and protect the privacy and security of the underlying information;

''(3) to maintain appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information;

''(4) to respond accurately to all inquiries made by employers on whether individuals are authorized to be employed;

''(5) to register any times when E-Verify is unable to receive inquiries;

''(6) to allow for auditing use of the system to detect fraud and identify theft;

''(7) to preserve the security of the information in all of the system by—

''(A) developing and using algorithms to detect potential identity theft, such as multiple uses of the same identifying information or documents;

''(B) developing and using algorithms to detect misuse of the system by employers and employees;

''(C) developing capabilities to detect anomalies in the use of the system that may indicate potential fraud or misuse of the system; and

''(D) auditing documents and information submitted by potential employees to employers, including authority to conduct interviews with employers and employees;

''(8) to confirm identity and work authorization through verification of records maintained by the Secretary, other Federal departments, States, the Commonwealth of the Northern Mariana Islands, or an outlying possession of the United States, as determined necessary by the Secretary, including—

''(A) records maintained by the Social Security Administration;

''(B) birth and death records maintained by vital statistics agencies of any State or other jurisdiction in the United States;

''(C) passport and visa records (including photographs) maintained by the Department of State; and

''(D) State driver's license or identity card information (including photographs) maintained by State department of motor vehicles;

''(9) to electronically confirm the issuance of the employment authorization or identity document; and

''(10) to display the digital photograph that the issuer placed on the document so that

the employer can compare the photograph displayed to the photograph on the document presented by the employee or, in exceptional cases, if a photograph is not available from the issuer, to provide for a temporary alternative procedure, specified by the Secretary, for confirming the authenticity of the document.''.

SEC. ___12. IDENTITY THEFT.

Section 1028 of title 18, United States Code, is amended—

(1) in subsection (a)(7), by striking ''of another person'' and inserting ''that is not his or her own''; and

(2) in subsection (b)(3)—

(A) in subparagraph (B), by striking ''or'' at the end;

(B) in subparagraph (C), by adding ''or'' at the end; and

(C) by adding at the end the following:

''(D) to facilitate or assist in harboring or hiring unauthorized workers in violation of section 274, 274A, or 274C of the Immigration and Nationality Act (8 U.S.C. 1324, 1324a, and 1324c).''.

SEC. ___13. SMALL BUSINESS DEMONSTRATION PROGRAM.

Section 403 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

''(d) SMALL BUSINESS DEMONSTRATION PROGRAM.—Not later than 9 months after the date of the enactment of the Accountability Through Electronic Verification Act, the Director of U.S. Citizenship and Immigration Services shall establish a demonstration program that assists small businesses in rural areas or areas without internet capabilities to verify the employment eligibility of newly hired employees solely through the use of publicly accessible internet terminals.''.

SA 1921. Mr. BURR (for himself and Mr. MCCAIN) proposed an amendment to amendment SA 1569 proposed by Mr. BURR (for himself and Mrs. BOXER) to the amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; as follows:

Strike line 2 and all that follows and insert the following:

TITLE XVII—CYBERSECURITY INFORMATION SHARING

SECTION 1701. SHORT TITLE.

This title may be cited as the ''Cybersecurity Information Sharing Act of 2015''.

SEC. 1702. DEFINITIONS.

In this title:

(1) AGENCY.—The term ''agency'' has the meaning given the term in section 3502 of title 44, United States Code.

(2) ANTITRUST LAWS.—The term ''antitrust laws''—

(A) has the meaning given the term in section 1 of the Clayton Act (15 U.S.C. 12);

(B) includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent that section 5 of that Act applies to unfair methods of competition; and

(C) includes any State law that has the same intent and effect as the laws under subparagraphs (A) and (B).

(3) APPROPRIATE FEDERAL ENTITIES.—The term ''appropriate Federal entities'' means the following:

(A) The Department of Commerce.

(B) The Department of Defense.

(C) The Department of Energy.

(D) The Department of Homeland Security.

(E) The Department of Justice.

(F) The Department of the Treasury.

(G) The Office of the Director of National Intelligence.

(4) CYBERSECURITY PURPOSE.—The term ''cybersecurity purpose'' means the purpose of protecting an information system or information that is stored on, processed by, or transiting an information system from a cybersecurity threat or security vulnerability.

(5) CYBERSECURITY THREAT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''cybersecurity threat'' means an action, not protected by the First Amendment to the Constitution of the United States, on or through an information system that may result in an unauthorized effort to adversely impact the security, availability, confidentiality, or integrity of an information system or information that is stored on, processed by, or transiting an information system.

(B) EXCLUSION.—The term ''cybersecurity threat'' does not include any action that solely involves a violation of a consumer term of service or a consumer licensing agreement.

(6) CYBER THREAT INDICATOR.—The term ''cyber threat indicator'' means information that is necessary to describe or identify—

(A) malicious reconnaissance, including anomalous patterns of communications that appear to be transmitted for the purpose of gathering technical information related to a cybersecurity threat or security vulnerability;

(B) a method of defeating a security control or exploitation of a security vulnerability;

(C) a security vulnerability, including anomalous activity that appears to indicate the existence of a security vulnerability;

(D) a method of causing a user with legitimate access to an information system or information that is stored on, processed by, or transiting an information system to unwittingly enable the defeat of a security control or exploitation of a security vulnerability;

(E) malicious cyber command and control;

(F) the actual or potential harm caused by an incident, including a description of the information exfiltrated as a result of a particular cybersecurity threat;

(G) any other attribute of a cybersecurity threat, if disclosure of such attribute is not otherwise prohibited by law; or

(H) any combination thereof.

(7) DEFENSIVE MEASURE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term ''defensive measure'' means an action, device, procedure, signature, technique, or other measure applied to an information system or information that is stored on, processed by, or transiting an information system that detects, prevents, or mitigates a known or suspected cybersecurity threat or security vulnerability.

(B) EXCLUSION.—The term ''defensive measure'' does not include a measure that destroys, renders unusable, or substantially harms an information system or data on an information system not belonging to—

(i) the private entity operating the measure; or

(ii) another entity or Federal entity that is authorized to provide consent and has provided consent to that private entity for operation of such measure.

(8) ENTITY.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, the term ''entity'' means any private entity, non-Federal government agency or department, or State, tribal, or local government (including a political subdivision, department, or component thereof).

(B) INCLUSIONS.—The term ''entity'' includes a government agency or department of the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Northern Mariana Islands, and any other territory or possession of the United States.

(C) EXCLUSION.—The term ''entity'' does not include a foreign power as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

(9) FEDERAL ENTITY.—The term ''Federal entity'' means a department or agency of the United States or any component of such department or agency.

(10) INFORMATION SYSTEM.—The term ''information system''—

(A) has the meaning given the term in section 3502 of title 44, United States Code; and

(B) includes industrial control systems, such as supervisory control and data acquisition systems, distributed control systems, and programmable logic controllers.

(11) LOCAL GOVERNMENT.—The term ''local government'' means any borough, city, county, parish, town, township, village, or other political subdivision of a State.

(12) MALICIOUS CYBER COMMAND AND CONTROL.—The term ''malicious cyber command and control'' means a method for unauthorized remote identification of, access to, or use of, an information system or information that is stored on, processed by, or transiting an information system.

(13) MALICIOUS RECONNAISSANCE.—The term ''malicious reconnaissance'' means a method for actively probing or passively monitoring an information system for the purpose of discerning security vulnerabilities of the information system, if such method is associated with a known or suspected cybersecurity threat.

(14) MONITOR.—The term ''monitor'' means to acquire, identify, or scan, or to possess, information that is stored on, processed by, or transiting an information system.

(15) PRIVATE ENTITY.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, the term ''private entity'' means any person or private group, organization, proprietorship, partnership, trust, cooperative, corporation, or other commercial or nonprofit entity, including an officer, employee, or agent thereof.

(B) INCLUSION.—The term ''private entity'' includes a State, tribal, or local government performing electric utility services.

(C) EXCLUSION.—The term ''private entity'' does not include a foreign power as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801).

(16) SECURITY CONTROL.—The term ''security control'' means the management, operational, and technical controls used to protect against an unauthorized effort to adversely affect the confidentiality, integrity, and availability of an information system or its information.

(17) SECURITY VULNERABILITY.—The term ''security vulnerability'' means any attribute of hardware, software, process, or procedure that could enable or facilitate the defeat of a security control.

(18) TRIBAL.—The term ''tribal'' has the meaning given the term ''Indian tribe'' in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SEC. 1703. SHARING OF INFORMATION BY THE FEDERAL GOVERNMENT.

(a) IN GENERAL.—Consistent with the protection of classified information, intelligence sources and methods, and privacy

and civil liberties, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of Defense, and the Attorney General, in consultation with the heads of the appropriate Federal entities, shall develop and promulgate procedures to facilitate and promote—

(1) the timely sharing of classified cyber threat indicators in the possession of the Federal Government with cleared representatives of relevant entities;

(2) the timely sharing with relevant entities of cyber threat indicators or information in the possession of the Federal Government that may be declassified and shared at an unclassified level;

(3) the sharing with relevant entities, or the public if appropriate, of unclassified, including controlled unclassified, cyber threat indicators in the possession of the Federal Government; and

(4) the sharing with entities, if appropriate, of information in the possession of the Federal Government about cybersecurity threats to such entities to prevent or mitigate adverse effects from such cybersecurity threats.

(b) DEVELOPMENT OF PROCEDURES.—

(1) IN GENERAL.—The procedures developed and promulgated under subsection (a) shall—

(A) ensure the Federal Government has and maintains the capability to share cyber threat indicators in real time consistent with the protection of classified information;

(B) incorporate, to the greatest extent practicable, existing processes and existing roles and responsibilities of Federal and non-Federal entities for information sharing by the Federal Government, including sector specific information sharing and analysis centers;

(C) include procedures for notifying entities that have received a cyber threat indicator from a Federal entity under this title that is known or determined to be in error or in contravention of the requirements of this title or another provision of Federal law or policy of such error or contravention;

(D) include requirements for Federal entities receiving cyber threat indicators or defensive measures to implement and utilize security controls to protect against unauthorized access to or acquisition of such cyber threat indicators or defensive measures; and

(E) include procedures that require a Federal entity, prior to the sharing of a cyber threat indicator—

(i) to review such cyber threat indicator to assess whether such cyber threat indicator contains any information that such Federal entity knows at the time of sharing to be personal information of or identifying a specific person not directly related to a cybersecurity threat and remove such information; or

(ii) to implement and utilize a technical capability configured to remove any personal information of or identifying a specific person not directly related to a cybersecurity threat.

(2) COORDINATION.—In developing the procedures required under this section, the Director of National Intelligence, the Secretary of Homeland Security, the Secretary of Defense, and the Attorney General shall coordinate with appropriate Federal entities, including the National Laboratories (as defined in section 1702 of the Energy Policy Act of 2005 (42 U.S.C. 15801)), to ensure that effective protocols are implemented that will facilitate and promote the sharing of cyber threat indicators by the Federal Government in a timely manner.

(c) SUBMITTAL TO CONGRESS.—Not later than 60 days after the date of the enactment of this title, the Director of National Intelligence, in consultation with the heads of the appropriate Federal entities, shall submit to Congress the procedures required by subsection (a).

SEC. 1704. AUTHORIZATIONS FOR PREVENTING, DETECTING, ANALYZING, AND MITIGATING CYBERSECURITY THREATS.

(a) AUTHORIZATION FOR MONITORING.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a private entity may, for cybersecurity purposes, monitor—

(A) an information system of such private entity;

(B) an information system of another entity, upon the authorization and written consent of such other entity;

(C) an information system of a Federal entity, upon the authorization and written consent of an authorized representative of the Federal entity; and

(D) information that is stored on, processed by, or transiting an information system monitored by the private entity under this paragraph.

(2) CONSTRUCTION.—Nothing in this subsection shall be construed—

(A) to authorize the monitoring of an information system, or the use of any information obtained through such monitoring, other than as provided in this title; or

(B) to limit otherwise lawful activity.

(b) AUTHORIZATION FOR OPERATION OF DEFENSIVE MEASURES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a private entity may, for cybersecurity purposes, operate a defensive measure that is applied to—

(A) an information system of such private entity in order to protect the rights or property of the private entity;

(B) an information system of another entity upon written consent of such entity for operation of such defensive measure to protect the rights or property of such entity; and

(C) an information system of a Federal entity upon written consent of an authorized representative of such Federal entity for operation of such defensive measure to protect the rights or property of the Federal Government.

(2) CONSTRUCTION.—Nothing in this subsection shall be construed—

(A) to authorize the use of a defensive measure other than as provided in this subsection; or

(B) to limit otherwise lawful activity.

(c) AUTHORIZATION FOR SHARING OR RECEIVING CYBER THREAT INDICATORS OR DEFENSIVE MEASURES.—

(1) IN GENERAL.—Except as provided in paragraph (2) and notwithstanding any other provision of law, an entity may, for the purposes permitted under this title and consistent with the protection of classified information, share with, or receive from, any other entity or the Federal Government a cyber threat indicator or defensive measure.

(2) LAWFUL RESTRICTION.—An entity receiving a cyber threat indicator or defensive measure from another entity or Federal entity shall comply with otherwise lawful restrictions placed on the sharing or use of such cyber threat indicator or defensive measure by the sharing entity or Federal entity.

(3) CONSTRUCTION.—Nothing in this subsection shall be construed—

(A) to authorize the sharing or receiving of a cyber threat indicator or defensive measure other than as provided in this subsection; or

(B) to limit otherwise lawful activity.

(d) PROTECTION AND USE OF INFORMATION.—

(1) SECURITY OF INFORMATION.—An entity monitoring an information system, operating a defensive measure, or providing or receiving a cyber threat indicator or defensive measure under this section shall implement and utilize a security control to protect against unauthorized access to or acquisition of such cyber threat indicator or defensive measure.

(2) REMOVAL OF CERTAIN PERSONAL INFORMATION.—An entity sharing a cyber threat indicator pursuant to this title shall, prior to such sharing—

(A) review such cyber threat indicator to assess whether such cyber threat indicator contains any information that the entity knows at the time of sharing to be personal information of or identifying a specific person not directly related to a cybersecurity threat and remove such information; or

(B) implement and utilize a technical capability configured to remove any information contained within such indicator that the entity knows at the time of sharing to be personal information of or identifying a specific person not directly related to a cybersecurity threat.

(3) USE OF CYBER THREAT INDICATORS AND DEFENSIVE MEASURES BY ENTITIES.—

(A) IN GENERAL.—Consistent with this title, a cyber threat indicator or defensive measure shared or received under this section may, for cybersecurity purposes—

(i) be used by an entity to monitor or operate a defensive measure on—

(I) an information system of the entity; or

(II) an information system of another entity or a Federal entity upon the written consent of that other entity or that Federal entity; and

(ii) be otherwise used, retained, and further shared by an entity subject to—

(I) an otherwise lawful restriction placed by the sharing entity or Federal entity on such cyber threat indicator or defensive measure; or

(II) an otherwise applicable provision of law.

(B) CONSTRUCTION.—Nothing in this paragraph shall be construed to authorize the use of a cyber threat indicator or defensive measure other than as provided in this section.

(4) USE OF CYBER THREAT INDICATORS BY STATE, TRIBAL, OR LOCAL GOVERNMENT.—

(A) LAW ENFORCEMENT USE.—

(i) PRIOR WRITTEN CONSENT.—Except as provided in clause (ii), a cyber threat indicator shared with a State, tribal, or local government under this section may, with the prior written consent of the entity sharing such indicator, be used by a State, tribal, or local government for the purpose of preventing, investigating, or prosecuting any of the offenses described in section 1705(d)(5)(A)(vi).

(ii) ORAL CONSENT.—If exigent circumstances prevent obtaining written consent under clause (i), such consent may be provided orally with subsequent documentation of the consent.

(B) EXEMPTION FROM DISCLOSURE.—A cyber threat indicator shared with a State, tribal, or local government under this section shall be—

(i) deemed voluntarily shared information; and

(ii) exempt from disclosure under any State, tribal, or local law requiring disclosure of information or records.

(C) STATE, TRIBAL, AND LOCAL REGULATORY AUTHORITY.—

(i) IN GENERAL.—Except as provided in clause (ii), a cyber threat indicator or defensive measure shared with a State, tribal, or local government under this title shall not be directly used by any State, tribal, or local government to regulate, including an enforcement action, the lawful activity of any entity, including an activity relating to monitoring, operating a defensive measure, or sharing of a cyber threat indicator.

(ii) REGULATORY AUTHORITY SPECIFICALLY RELATING TO PREVENTION OR MITIGATION OF

CYBERSECURITY THREATS.—A cyber threat indicator or defensive measures shared as described in clause (i) may, consistent with a State, tribal, or local government regulatory authority specifically relating to the prevention or mitigation of cybersecurity threats to information systems, inform the development or implementation of a regulation relating to such information systems.

(e) ANTITRUST EXEMPTION.—

(1) IN GENERAL.—Except as provided in section 1708(e), it shall not be considered a violation of any provision of antitrust laws for 2 or more private entities to exchange or provide a cyber threat indicator, or assistance relating to the prevention, investigation, or mitigation of a cybersecurity threat, for cybersecurity purposes under this title.

(2) APPLICABILITY.—Paragraph (1) shall apply only to information that is exchanged or assistance provided in order to assist with—

(A) facilitating the prevention, investigation, or mitigation of a cybersecurity threat to an information system or information that is stored on, processed by, or transiting an information system; or

(B) communicating or disclosing a cyber threat indicator to help prevent, investigate, or mitigate the effect of a cybersecurity threat to an information system or information that is stored on, processed by, or transiting an information system.

(f) NO RIGHT OR BENEFIT.—The sharing of a cyber threat indicator with an entity under this title shall not create a right or benefit to similar information by such entity or any other entity.

SEC. 1705. SHARING OF CYBER THREAT INDICATORS AND DEFENSIVE MEASURES WITH THE FEDERAL GOVERNMENT.

(a) REQUIREMENT FOR POLICIES AND PROCEDURES.—

(1) INTERIM POLICIES AND PROCEDURES.—Not later than 60 days after the date of the enactment of this title, the Attorney General, in coordination with the heads of the appropriate Federal entities, shall develop and submit to Congress interim policies and procedures relating to the receipt of cyber threat indicators and defensive measures by the Federal Government.

(2) FINAL POLICIES AND PROCEDURES.—Not later than 180 days after the date of the enactment of this title, the Attorney General shall, in coordination with the heads of the appropriate Federal entities, promulgate final policies and procedures relating to the receipt of cyber threat indicators and defensive measures by the Federal Government.

(3) REQUIREMENTS CONCERNING POLICIES AND PROCEDURES.—Consistent with the guidelines required by subsection (b), the policies and procedures developed and promulgated under this subsection shall—

(A) ensure that cyber threat indicators are shared with the Federal Government by any entity pursuant to section 1704(c) through the real-time process described in subsection (c) of this section—

(i) are shared in an automated manner with all of the appropriate Federal entities;

(ii) are not subject to any delay, modification, or any other action that could impede real-time receipt by all of the appropriate Federal entities; and

(iii) may be provided to other Federal entities;

(B) ensure that cyber threat indicators shared with the Federal Government by any entity pursuant to section 1704 in a manner other than the real-time process described in subsection (c) of this section—

(i) are shared as quickly as operationally practicable with all of the appropriate Federal entities;

(ii) are not subject to any unnecessary delay, interference, or any other action that could impede receipt by all of the appropriate Federal entities; and

(iii) may be provided to other Federal entities;

(C) consistent with this title, any other applicable provisions of law, and the fair information practice principles set forth in appendix A of the document entitled ''National Strategy for Trusted Identities in Cyberspace'' and published by the President in April 2011, govern the retention, use, and dissemination by the Federal Government of cyber threat indicators shared with the Federal Government under this title, including the extent, if any, to which such cyber threat indicators may be used by the Federal Government; and

(D) ensure there is—

(i) an audit capability; and

(ii) appropriate sanctions in place for officers, employees, or agents of a Federal entity who knowingly and willfully conduct activities under this title in an unauthorized manner.

(4) GUIDELINES FOR ENTITIES SHARING CYBER THREAT INDICATORS WITH FEDERAL GOVERNMENT.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this title, the Attorney General shall develop and make publicly available guidance to assist entities and promote sharing of cyber threat indicators with Federal entities under this title.

(B) CONTENTS.—The guidelines developed and made publicly available under subparagraph (A) shall include guidance on the following:

(i) Identification of types of information that would qualify as a cyber threat indicator under this title that would be unlikely to include personal information of or identifying a specific person not directly related to a cyber security threat.

(ii) Identification of types of information protected under otherwise applicable privacy laws that are unlikely to be directly related to a cybersecurity threat.

(iii) Such other matters as the Attorney General considers appropriate for entities sharing cyber threat indicators with Federal entities under this title.

(b) PRIVACY AND CIVIL LIBERTIES.—

(1) GUIDELINES OF ATTORNEY GENERAL.—Not later than 60 days after the date of the enactment of this title, the Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee–1), develop, submit to Congress, and make available to the public interim guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of cyber threat indicators by a Federal entity obtained in connection with activities authorized in this title.

(2) FINAL GUIDELINES.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this title, the Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers designated under section 1062 of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee–1) and such private entities with industry expertise as the Attorney General considers relevant, promulgate final guidelines relating to privacy and civil liberties which shall govern the receipt, retention, use, and dissemination of cyber threat indicators by a Federal entity obtained in connection with activities authorized in this title.

(B) PERIODIC REVIEW.—The Attorney General shall, in coordination with heads of the appropriate Federal entities and in consultation with officers and private entities described in subparagraph (A), periodically review the guidelines promulgated under subparagraph (A).

(3) CONTENT.—The guidelines required by paragraphs (1) and (2) shall, consistent with the need to protect information systems from cybersecurity threats and mitigate cybersecurity threats—

(A) limit the impact on privacy and civil liberties of activities by the Federal Government under this title;

(B) limit the receipt, retention, use, and dissemination of cyber threat indicators containing personal information of or identifying specific persons, including by establishing—

(i) a process for the timely destruction of such information that is known not to be directly related to uses authorized under this title; and

(ii) specific limitations on the length of any period in which a cyber threat indicator may be retained;

(C) include requirements to safeguard cyber threat indicators containing personal information of or identifying specific persons from unauthorized access or acquisition, including appropriate sanctions for activities by officers, employees, or agents of the Federal Government in contravention of such guidelines;

(D) include procedures for notifying entities and Federal entities if information received pursuant to this section is known or determined by a Federal entity receiving such information not to constitute a cyber threat indicator;

(E) protect the confidentiality of cyber threat indicators containing personal information of or identifying specific persons to the greatest extent practicable and require recipients to be informed that such indicators may only be used for purposes authorized under this title; and

(F) include steps that may be needed so that dissemination of cyber threat indicators is consistent with the protection of classified and other sensitive national security information.

(c) CAPABILITY AND PROCESS WITHIN THE DEPARTMENT OF HOMELAND SECURITY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this title, the Secretary of Homeland Security, in coordination with the heads of the appropriate Federal entities, shall develop and implement a capability and process within the Department of Homeland Security that—

(A) shall accept from any entity in real time cyber threat indicators and defensive measures, pursuant to this section;

(B) shall, upon submittal of the certification under paragraph (2) that such capability and process fully and effectively operates as described in such paragraph, be the process by which the Federal Government receives cyber threat indicators and defensive measures under this title that are shared by a private entity with the Federal Government through electronic mail or media, an interactive form on an Internet website, or a real time, automated process between information systems except—

(i) communications between a Federal entity and a private entity regarding a previously shared cyber threat indicator; and

(ii) communications by a regulated entity with such entity's Federal regulatory authority regarding a cybersecurity threat;

(C) ensures that all of the appropriate Federal entities receive in an automated manner such cyber threat indicators shared through the real-time process within the Department of Homeland Security;

(D) is in compliance with the policies, procedures, and guidelines required by this section; and

(E) does not limit or prohibit otherwise lawful disclosures of communications, records, or other information, including—

(i) reporting of known or suspected criminal activity, by an entity to any other entity or a Federal entity;

(ii) voluntary or legally compelled participation in a Federal investigation; and

(iii) providing cyber threat indicators or defensive measures as part of a statutory or authorized contractual requirement.

(2) CERTIFICATION.—Not later than 10 days prior to the implementation of the capability and process required by paragraph (1), the Secretary of Homeland Security shall, in consultation with the heads of the appropriate Federal entities, certify to Congress whether such capability and process fully and effectively operates—

(A) as the process by which the Federal Government receives from any entity a cyber threat indicator or defensive measure under this title; and

(B) in accordance with the policies, procedures, and guidelines developed under this section.

(3) PUBLIC NOTICE AND ACCESS.—The Secretary of Homeland Security shall ensure there is public notice of, and access to, the capability and process developed and implemented under paragraph (1) so that—

(A) any entity may share cyber threat indicators and defensive measures through such process with the Federal Government; and

(B) all of the appropriate Federal entities receive such cyber threat indicators and defensive measures in real time with receipt through the process within the Department of Homeland Security.

(4) OTHER FEDERAL ENTITIES.—The process developed and implemented under paragraph (1) shall ensure that other Federal entities receive in a timely manner any cyber threat indicators and defensive measures shared with the Federal Government through such process.

(5) REPORT ON DEVELOPMENT AND IMPLEMENTATION.—

(A) IN GENERAL.—Not later than 60 days after the date of the enactment of this title, the Secretary of Homeland Security shall submit to Congress a report on the development and implementation of the capability and process required by paragraph (1), including a description of such capability and process and the public notice of, and access to, such process.

(B) CLASSIFIED ANNEX.—The report required by subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(d) INFORMATION SHARED WITH OR PROVIDED TO THE FEDERAL GOVERNMENT.—

(1) NO WAIVER OF PRIVILEGE OR PROTECTION.—The provision of cyber threat indicators and defensive measures to the Federal Government under this title shall not constitute a waiver of any applicable privilege or protection provided by law, including trade secret protection.

(2) PROPRIETARY INFORMATION.—Consistent with section 1704(c)(2), a cyber threat indicator or defensive measure provided by an entity to the Federal Government under this title shall be considered the commercial, financial, and proprietary information of such entity when so designated by the originating entity or a third party acting in accordance with the written authorization of the originating entity.

(3) EXEMPTION FROM DISCLOSURE.—Cyber threat indicators and defensive measures provided to the Federal Government under this title shall be—

(A) deemed voluntarily shared information and exempt from disclosure under section 552 of title 5, United States Code, and any State, tribal, or local law requiring disclosure of information or records; and

(B) withheld, without discretion, from the public under section 552(b)(3)(B) of title 5, United States Code, and any State, tribal, or local provision of law requiring disclosure of information or records.

(4) EX PARTE COMMUNICATIONS.—The provision of a cyber threat indicator or defensive measure to the Federal Government under this title shall not be subject to a rule of any Federal agency or department or any judicial doctrine regarding ex parte communications with a decisionmaking official.

(5) DISCLOSURE, RETENTION, AND USE.—

(A) AUTHORIZED ACTIVITIES.—Cyber threat indicators and defensive measures provided to the Federal Government under this title may be disclosed to, retained by, and used by, consistent with otherwise applicable provisions of Federal law, any Federal agency or department, component, officer, employee, or agent of the Federal Government solely for—

(i) a cybersecurity purpose;

(ii) the purpose of identifying a cybersecurity threat, including the source of such cybersecurity threat, or a security vulnerability;

(iii) the purpose of identifying a cybersecurity threat involving the use of an information system by a foreign adversary or terrorist;

(iv) the purpose of responding to, or otherwise preventing or mitigating, an imminent threat of death, serious bodily harm, or serious economic harm, including a terrorist act or a use of a weapon of mass destruction;

(v) the purpose of responding to, or otherwise preventing or mitigating, a serious threat to a minor, including sexual exploitation and threats to physical safety; or

(vi) the purpose of preventing, investigating, disrupting, or prosecuting an offense arising out of a threat described in clause (iv) or any of the offenses listed in—

(I) section 3559(c)(2)(F) of title 18, United States Code (relating to serious violent felonies);

(II) sections 1028 through 1030 of such title (relating to fraud and identity theft);

(III) chapter 37 of such title (relating to espionage and censorship); and

(IV) chapter 90 of such title (relating to protection of trade secrets).

(B) PROHIBITED ACTIVITIES.—Cyber threat indicators and defensive measures provided to the Federal Government under this title shall not be disclosed to, retained by, or used by any Federal agency or department for any use not permitted under subparagraph (A).

(C) PRIVACY AND CIVIL LIBERTIES.—Cyber threat indicators and defensive measures provided to the Federal Government under this title shall be retained, used, and disseminated by the Federal Government—

(i) in accordance with the policies, procedures, and guidelines required by subsections (a) and (b);

(ii) in a manner that protects from unauthorized use or disclosure any cyber threat indicators that may contain personal information of or identifying specific persons; and

(iii) in a manner that protects the confidentiality of cyber threat indicators containing personal information of or identifying a specific person.

(D) FEDERAL REGULATORY AUTHORITY.—

(i) IN GENERAL.—Except as provided in clause (ii), cyber threat indicators and defensive measures provided to the Federal Government under this title shall not be directly used by any Federal, State, tribal, or local government to regulate, including an enforcement action, the lawful activities of any entity, including activities relating to monitoring, operating defensive measures, or sharing cyber threat indicators.

(ii) EXCEPTIONS.—

(I) REGULATORY AUTHORITY SPECIFICALLY RELATING TO PREVENTION OR MITIGATION OF CYBERSECURITY THREATS.—Cyber threat indicators and defensive measures provided to the Federal Government under this title may, consistent with Federal or State regulatory authority specifically relating to the prevention or mitigation of cybersecurity threats to information systems, inform the development or implementation of regulations relating to such information systems.

(II) PROCEDURES DEVELOPED AND IMPLEMENTED UNDER THIS TITLE.—Clause (i) shall not apply to procedures developed and implemented under this title.

SEC. 1706. PROTECTION FROM LIABILITY.

(a) MONITORING OF INFORMATION SYSTEMS.—No cause of action shall lie or be maintained in any court against any private entity, and such action shall be promptly dismissed, for the monitoring of information systems and information under section 1704(a) that is conducted in accordance with this title.

(b) SHARING OR RECEIPT OF CYBER THREAT INDICATORS.—No cause of action shall lie or be maintained in any court against any entity, and such action shall be promptly dismissed, for the sharing or receipt of cyber threat indicators or defensive measures under section 1704(c) if—

(1) such sharing or receipt is conducted in accordance with this title; and

(2) in a case in which a cyber threat indicator or defensive measure is shared with the Federal Government, the cyber threat indicator or defensive measure is shared in a manner that is consistent with section 1705(c)(1)(B) and the sharing or receipt, as the case may be, occurs after the earlier of—

(A) the date on which the interim policies and procedures are submitted to Congress under section 1705(a)(1); or

(B) the date that is 60 days after the date of the enactment of this title.

(c) CONSTRUCTION.—Nothing in this section shall be construed—

(1) to require dismissal of a cause of action against an entity that has engaged in gross negligence or willful misconduct in the course of conducting activities authorized by this title; or

(2) to undermine or limit the availability of otherwise applicable common law or statutory defenses.

SEC. 1707. OVERSIGHT OF GOVERNMENT ACTIVITIES.

(a) BIENNIAL REPORT ON IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 1 year after the date of the enactment of this title, and not less frequently than once every 2 years thereafter, the heads of the appropriate Federal entities shall jointly submit and the Inspector General of the Department of Homeland Security, the Inspector General of the Intelligence Community, the Inspector General of the Department of Justice, the Inspector General of the Department of Defense, and the Inspector General of the Department of Energy, in consultation with the Council of Inspectors General on Financial Oversight, shall jointly submit to Congress a detailed report concerning the implementation of this title.

(2) CONTENTS.—Each report submitted under paragraph (1) shall include the following:

(A) An assessment of the sufficiency of the policies, procedures, and guidelines required by section 1705 in ensuring that cyber threat indicators are shared effectively and responsibly within the Federal Government.

(B) An evaluation of the effectiveness of real-time information sharing through the capability and process developed under section 1705(c), including any impediments to such real-time sharing.

(C) An assessment of the sufficiency of the procedures developed under section 1703 in ensuring that cyber threat indicators in the possession of the Federal Government are shared in a timely and adequate manner with appropriate entities, or, if appropriate, are made publicly available.

(D) An assessment of whether cyber threat indicators have been properly classified and an accounting of the number of security clearances authorized by the Federal Government for the purposes of this title.

(E) A review of the type of cyber threat indicators shared with the Federal Government under this title, including the following:

(i) The degree to which such information may impact the privacy and civil liberties of specific persons.

(ii) A quantitative and qualitative assessment of the impact of the sharing of such cyber threat indicators with the Federal Government on privacy and civil liberties of specific persons.

(iii) The adequacy of any steps taken by the Federal Government to reduce such impact.

(F) A review of actions taken by the Federal Government based on cyber threat indicators shared with the Federal Government under this title, including the appropriateness of any subsequent use or dissemination of such cyber threat indicators by a Federal entity under section 1705.

(G) A description of any significant violations of the requirements of this title by the Federal Government.

(H) A summary of the number and type of entities that received classified cyber threat indicators from the Federal Government under this title and an evaluation of the risks and benefits of sharing such cyber threat indicators.

(3) RECOMMENDATIONS.—Each report submitted under paragraph (1) may include recommendations for improvements or modifications to the authorities and processes under this title.

(4) FORM OF REPORT.—Each report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) REPORTS ON PRIVACY AND CIVIL LIBERTIES.—

(1) BIENNIAL REPORT FROM PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD.—Not later than 2 years after the date of the enactment of this title and not less frequently than once every 2 years thereafter, the Privacy and Civil Liberties Oversight Board shall submit to Congress and the President a report providing—

(A) an assessment of the effect on privacy and civil liberties by the type of activities carried out under this title; and

(B) an assessment of the sufficiency of the policies, procedures, and guidelines established pursuant to section 1705 in addressing concerns relating to privacy and civil liberties.

(2) BIENNIAL REPORT OF INSPECTORS GENERAL.—

(A) IN GENERAL.—Not later than 2 years after the date of the enactment of this title and not less frequently than once every 2 years thereafter, the Inspector General of the Department of Homeland Security, the Inspector General of the Intelligence Community, the Inspector General of the Department of Justice, the Inspector General of the Department of Defense, and the Inspector General of the Department of Energy shall, in consultation with the Council of Inspectors General on Financial Oversight, jointly submit to Congress a report on the receipt, use, and dissemination of cyber threat indicators and defensive measures that have been shared with Federal entities under this title.

(B) CONTENTS.—Each report submitted under subparagraph (A) shall include the following:

(i) A review of the types of cyber threat indicators shared with Federal entities.

(ii) A review of the actions taken by Federal entities as a result of the receipt of such cyber threat indicators.

(iii) A list of Federal entities receiving such cyber threat indicators.

(iv) A review of the sharing of such cyber threat indicators among Federal entities to identify inappropriate barriers to sharing information.

(3) RECOMMENDATIONS.—Each report submitted under this subsection may include such recommendations as the Privacy and Civil Liberties Oversight Board, with respect to a report submitted under paragraph (1), or the Inspectors General referred to in paragraph (2)(A), with respect to a report submitted under paragraph (2), may have for improvements or modifications to the authorities under this title.

(4) FORM.—Each report required under this subsection shall be submitted in unclassified form, but may include a classified annex.

SEC. 1708. CONSTRUCTION AND PREEMPTION.

(a) OTHERWISE LAWFUL DISCLOSURES.—Nothing in this title shall be construed—

(1) to limit or prohibit otherwise lawful disclosures of communications, records, or other information, including reporting of known or suspected criminal activity, by an entity to any other entity or the Federal Government under this title; or

(2) to limit or prohibit otherwise lawful use of such disclosures by any Federal entity, even when such otherwise lawful disclosures duplicate or replicate disclosures made under this title.

(b) WHISTLE BLOWER PROTECTIONS.—Nothing in this title shall be construed to prohibit or limit the disclosure of information protected under section 2302(b)(8) of title 5, United States Code (governing disclosures of illegality, waste, fraud, abuse, or public health or safety threats), section 7211 of title 5, United States Code (governing disclosures to Congress), section 1034 of title 10, United States Code (governing disclosure to Congress by members of the military), section 1104 of the National Security Act of 1947 (50 U.S.C. 3234) (governing disclosure by employees of elements of the intelligence community), or any similar provision of Federal or State law.

(c) PROTECTION OF SOURCES AND METHODS.—Nothing in this title shall be construed—

(1) as creating any immunity against, or otherwise affecting, any action brought by the Federal Government, or any agency or department thereof, to enforce any law, executive order, or procedure governing the appropriate handling, disclosure, or use of classified information;

(2) to affect the conduct of authorized law enforcement or intelligence activities; or

(3) to modify the authority of a department or agency of the Federal Government to protect classified information and sources and methods and the national security of the United States.

(d) RELATIONSHIP TO OTHER LAWS.—Nothing in this title shall be construed to affect any requirement under any other provision of law for an entity to provide information to the Federal Government.

(e) PROHIBITED CONDUCT.—Nothing in this title shall be construed to permit price-fixing, allocating a market between competitors, monopolizing or attempting to monopolize a market, boycotting, or exchanges of price or cost information, customer lists, or information regarding future competitive planning.

(f) INFORMATION SHARING RELATIONSHIPS.—Nothing in this title shall be construed—

(1) to limit or modify an existing information sharing relationship;

(2) to prohibit a new information sharing relationship;

(3) to require a new information sharing relationship between any entity and the Federal Government; or

(4) to require the use of the capability and process within the Department of Homeland Security developed under section 1705(c).

(g) PRESERVATION OF CONTRACTUAL OBLIGATIONS AND RIGHTS.—Nothing in this title shall be construed—

(1) to amend, repeal, or supersede any current or future contractual agreement, terms of service agreement, or other contractual relationship between any entities, or between any entity and a Federal entity; or

(2) to abrogate trade secret or intellectual property rights of any entity or Federal entity.

(h) ANTI-TASKING RESTRICTION.—Nothing in this title shall be construed to permit the Federal Government—

(1) to require an entity to provide information to the Federal Government;

(2) to condition the sharing of cyber threat indicators with an entity on such entity's provision of cyber threat indicators to the Federal Government; or

(3) to condition the award of any Federal grant, contract, or purchase on the provision of a cyber threat indicator to a Federal entity.

(i) NO LIABILITY FOR NON-PARTICIPATION.—Nothing in this title shall be construed to subject any entity to liability for choosing not to engage in the voluntary activities authorized in this title.

(j) USE AND RETENTION OF INFORMATION.—Nothing in this title shall be construed to authorize, or to modify any existing authority of, a department or agency of the Federal Government to retain or use any information shared under this title for any use other than permitted in this title.

(k) FEDERAL PREEMPTION.—

(1) IN GENERAL.—This title supersedes any statute or other provision of law of a State or political subdivision of a State that restricts or otherwise expressly regulates an activity authorized under this title.

(2) STATE LAW ENFORCEMENT.—Nothing in this title shall be construed to supersede any statute or other provision of law of a State or political subdivision of a State concerning the use of authorized law enforcement practices and procedures.

(l) REGULATORY AUTHORITY.—Nothing in this title shall be construed—

(1) to authorize the promulgation of any regulations not specifically authorized by this title;

(2) to establish or limit any regulatory authority not specifically established or limited under this title; or

(3) to authorize regulatory actions that would duplicate or conflict with regulatory requirements, mandatory standards, or related processes under another provision of Federal law.

(m) AUTHORITY OF SECRETARY OF DEFENSE TO RESPOND TO CYBER ATTACKS.—Nothing in this title shall be construed to limit the authority of the Secretary of Defense to develop, prepare, coordinate, or, when authorized by the President to do so, conduct a military cyber operation in response to a malicious cyber activity carried out against the United States or a United States person by a foreign government or an organization sponsored by a foreign government or a terrorist organization.

SEC. 1709. REPORT ON CYBERSECURITY THREATS.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this title, the Director of National Intelligence, in coordination with the heads of other appropriate elements of the intelligence community, shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on cybersecurity threats, including cyber attacks, theft, and data breaches.

(b) CONTENTS.—The report required by subsection (a) shall include the following:

(1) An assessment of the current intelligence sharing and cooperation relationships of the United States with other countries regarding cybersecurity threats, including cyber attacks, theft, and data breaches, directed against the United States and which threaten the United States national security interests and economy and intellectual property, specifically identifying the relative utility of such relationships, which elements of the intelligence community participate in such relationships, and whether and how such relationships could be improved.

(2) A list and an assessment of the countries and nonstate actors that are the primary threats of carrying out a cybersecurity threat, including a cyber attack, theft, or data breach, against the United States and which threaten the United States national security, economy, and intellectual property.

(3) A description of the extent to which the capabilities of the United States Government to respond to or prevent cybersecurity threats, including cyber attacks, theft, or data breaches, directed against the United States private sector are degraded by a delay in the prompt notification by private entities of such threats or cyber attacks, theft, and breaches.

(4) An assessment of additional technologies or capabilities that would enhance the ability of the United States to prevent and to respond to cybersecurity threats, including cyber attacks, theft, and data breaches.

(5) An assessment of any technologies or practices utilized by the private sector that could be rapidly fielded to assist the intelligence community in preventing and responding to cybersecurity threats.

(c) FORM OF REPORT.—The report required by subsection (a) shall be made available in classified and unclassified forms.

(d) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term ''intelligence community'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 1710. CONFORMING AMENDMENTS.

(a) PUBLIC INFORMATION.—Section 552(b) of title 5, United States Code, is amended—

(1) in paragraph (8), by striking ''or'' at the end;

(2) in paragraph (9), by striking ''wells.'' and inserting ''wells; or''; and

(3) by inserting after paragraph (9) the following:

''(10) information shared with or provided to the Federal Government pursuant to the Cybersecurity Information Sharing Act of 2015.''.

(b) MODIFICATION OF LIMITATION ON DISSEMINATION OF CERTAIN INFORMATION CONCERNING PENETRATIONS OF DEFENSE CONTRACTOR NETWORKS.—Section 941(c)(3) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 2224 note) is amended by inserting at the end the following: ''The Secretary may share such information with other Federal entities if such information consists of cyber threat indicators and defensive measures and such information is shared consistent with the policies and procedures promulgated by the Attorney General under section 1705 of the Cybersecurity Information Sharing Act of 2015.''.

SEC. 1711. CRIMINAL BACKGROUND CHECKS OF EMPLOYEES OF THE MILITARY CHILD CARE SYSTEM AND PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES FOR MILITARY DEPENDENTS.

(a) EMPLOYEES OF MILITARY CHILD CARE SYSTEM.—Section 1792 of title 10, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following new subsection (d):

''(d) CRIMINAL BACKGROUND CHECK.—The criminal background check of child care employees under this section that is required pursuant to section 231 of the Crime Control Act of 1990 (42 U.S.C. 13041) shall be conducted pursuant to regulations prescribed by the Secretary of Defense in accordance with the provisions of section 658H of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f).''.

(b) PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES.—Section 1798 of such title is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection (c):

''(c) CRIMINAL BACKGROUND CHECK.—A provider of child care services or youth program services may not provide such services under this section unless such provider complies with the requirements for criminal background checks under section 658H of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f) for the State in which such services are provided.''.

(c) FUNDING.—Amounts for activities required by reason of the amendments made by this section during fiscal year 2016 shall be derived from amounts otherwise authorized to be appropriated for fiscal year 2016 by section 301 and available for operation and maintenance for the Yellow Ribbon Reintegration Program as specified in the funding tables in section 4301.

SA 1922. Mr. WARNER (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. UNMANNED AERIAL SYSTEMS RESEARCH PROGRAM.

(a) REQUIREMENT TO DEVELOP AND DEPLOY UAS TECHNOLOGIES.—The Secretary of Defense and the Director of National Intelligence shall work in conjunction with the Secretary of Homeland Security, the Secretary of Transportation, the Administrator of the National Aeronautics and Space Administration, the heads of other Federal agencies, existing UAS test sites and centers of excellence designated by the Federal Aviation Administration, the private sector, and academia on the research and development of technologies to safely detect, identify, and classify potentially threatening UAS in the national air space and to develop mitigation technologies—

(1) to ensure that, as the commercial use of UAS technologies increases and such technologies are safely integrated into the national air space, the United States is taking full advantage of existing and developmental technologies to detect, identify, classify, track, and counteract potentially threatening UAS, including in and around restricted and controlled air space, such as airports, military training areas, National Special Security Events, and sensitive national security locations; and

(2) to contribute to the development of intelligence, reconnaissance, and surveillance capabilities for national security over widely dispersed and expansive territories.

(b) UAS DEFINED.—In this section, the term ''UAS'' means unmanned aerial systems.

SA 1923. Mr. INHOFE (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1283. FREE TRADE AGREEMENTS WITH SUB-SAHARAN AFRICAN COUNTRIES.

(a) PLAN REQUIREMENTS AND REPORTING.—Section 116 of the African Growth and Opportunity Act (19 U.S.C. 3723) is amended by adding at the end the following:

''(d) PLAN REQUIREMENT.—

''(1) IN GENERAL.—The President shall develop a plan for the purpose of negotiating and entering into one or more free trade agreements with all eligible sub-Saharan African countries. The plan shall identify the 10 to 15 eligible sub-Saharan African countries or groups of such countries that are most ready for a free trade agreement with the United States.

''(2) ELEMENTS OF PLAN.—The plan required by paragraph (1) shall include, for each eligible sub-Saharan African country, the following:

''(A) The steps each such country needs to be equipped and ready to enter into a free trade agreement with the United States, including the effective implementation of the WTO Agreements and the development of a bilateral investment treaty.

''(B) Milestones for accomplishing each step identified in subparagraph (A) for each such country, with the goal of establishing a free trade agreement with each such country not later than 10 years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016.

''(C) A description of the resources required to assist each such country in accomplishing each milestone described in subparagraph (B).

''(D) The extent to which steps described in subparagraph (A), the milestones described in subparagraph (B), and resources described in subparagraph (C) may be accomplished through regional or subregional organizations in sub-Saharan Africa, including the East African Community, the Economic Community of West African States, the Common Market for Eastern and Southern Africa, and the Economic Community of Central African States.

''(E) Procedures to ensure the following:

''(i) Adequate consultation with Congress and the private sector during the negotiations.

''(ii) Consultation with Congress regarding all matters relating to implementation of the agreement or agreements.

''(iii) Approval by Congress of the agreement or agreements.

''(iv) Adequate consultations with the relevant African governments and African regional and subregional intergovernmental organizations during the negotiation of the agreement or agreements.

''(3) REPORTING REQUIREMENT.—Not later than 12 months after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, and every 5 years thereafter, the President shall prepare and submit to Congress a report containing the plan developed pursuant to paragraph (1).

''(4) DEFINITIONS.—In this subsection:

''(A) ELIGIBLE SUB-SAHARAN AFRICAN COUNTRY.—The term 'eligible sub-Saharan African country' means a country designated as an eligible sub-Saharan African country under section 104.

''(B) WTO.—The term 'WTO' means the World Trade Organization.

''(C) WTO AGREEMENT.—The term 'WTO Agreement' has the meaning given that term in section 2(9) of the Uruguay Round Agreements Act (19 U.S.C. 3501(9)).

''(D) WTO AGREEMENTS.—The term 'WTO Agreements' means the WTO Agreement and agreements annexed to that Agreement.''.

(b) COORDINATION OF USAID WITH FREE TRADE AGREEMENT POLICY.—

(1) AUTHORIZATION OF FUNDS.—Funds made available to the United States Agency for International Development under section 496 of the Foreign Assistance Act of 1961 (22 U.S.C. 2293) after the date of the enactment of this Act may be used, in consultation with the United States Trade Representative—

(A) to assist eligible countries, including by deploying resources to such countries, in addressing the steps and milestones identified in the plan developed under subsection (d) of section 116 of the African Growth and Opportunity Act (19 U.S.C. 3723), as added by subsection (a); and

(B) to assist eligible countries in the implementation of the commitments of those countries under agreements with the United States and the WTO Agreements (as defined in subsection (d)(4) of such section 116).

(2) DEFINITIONS.—In this subsection:

(A) ELIGIBLE COUNTRY.—The term ''eligible country'' means a sub-Saharan African country that receives—

(i) benefits under for the African Growth and Opportunity Act (19 U.S.C. 3701 et seq.); and

(ii) funding from the United States Agency for International Development.

(B) SUB-SAHARAN AFRICAN COUNTRY.—The term ''sub-Saharan African country'' has the meaning given that term in section 107 of the African Growth and Opportunity Act (19 U.S.C. 3706).

(c) COORDINATION WITH MILLENNIUM CHALLENGE CORPORATION.—After the date of the enactment of this Act, the United States Trade Representative and the Administrator of the United States Agency for International Development shall consult and coordinate with the Chief Executive Officer of the Millennium Challenge Corporation regarding countries that have entered into a Millennium Challenge Compact pursuant to section 609 of the Millennium Challenge Act of 2003 (22 U.S.C. 7708) that have been declared eligible to enter into such a Compact for the purpose of developing and carrying out the plan required by subsection (d) of section 116 of the African Growth and Opportunity Act (19 U.S.C. 3723), as added by subsection (a).

SA 1924. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. EXEMPTION OF INDIAN TRIBAL GOVERNMENTS FROM EMPLOYER MANDATE.

(a) IN GENERAL.—Paragraph (2) of section 4980H(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(F) CERTAIN INDIAN EMPLOYERS.—The term 'applicable large employer' does not include—

''(i) any Indian tribal government (as defined in section 7701(a)(40)), or

''(ii) any enterprise or institution owned and operated by an Indian tribe (as defined in section 45A(c)(6)).''.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to calendar years beginning after December 31, 2014

SA 1925. Mr. COATS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XII, add the following:

SEC. 1230. PLAN FOR DEFEATING THE ISLAMIC STATE OF IRAQ AND THE LEVANT.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report detailing a realistic plan to confront, degrade, and defeat the Islamic State of Iraq and the Levant first in Iraq and Syria and then in any country where its forces or allies are operating.

(b) ELEMENTS.—The plan submitted under subsection (a) shall include—

(1) realistic, well-substantiated estimates of timeframes, resources required, expected allies, and anticipated obstacles; and

(2) clear definitions of milestones, metrics of success, and personal accountability.

SA 1926. Mr. LEAHY (for himself and Mr. GRASSLEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 492, line 2, after ''Appropriations,'' insert ''the Committee on the Judiciary,''.

On page 492, line 5, after ''Appropriations,'' insert ''the Committee on the Judiciary,''.

On page 500, line 21, after ''Appropriations,'' insert ''the Committee on the Judiciary,''.

On page 500, line 24, after ''Appropriations,'' insert ''the Committee on the Judiciary,''.

On page 509, line 8, after ''Appropriations,'' insert ''the Committee on the Judiciary,''.

On page 509, line 11, after ''Appropriations,'' insert ''the Committee on the Judiciary,''.

On page 512, line 11, after ''Appropriations,'' insert ''the Committee on the Judiciary,''.

On page 512, line 16, after ''Appropriations,'' insert ''the Committee on the Judiciary,''.

On page 514, line 14, after ''Appropriations,'' insert ''the Committee on the Judiciary,''.

On page 514, line 18, after ''Appropriations,'' insert ''the Committee on the Judiciary,''.

SA 1927. Mr. ISAKSON submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title V, add the following:

SEC. 515. AUTHORITY TO ORDER UNITS AND MEMBERS OF THE SELECTED RESERVE TO ACTIVE DUTY FOR PREPLANNED MISSIONS IN SUPPORT OF THE MILITARY DEPARTMENTS.

(a) IN GENERAL.—Subsection (a) of section 12304b of title 10, United States Code, is amended—

(1) by inserting ''(1)'' before ''When the Secretary'';

(2) in paragraph (1), as so designated—

(A) by inserting ''or the military department'' after ''a combatant command'';

(B) by inserting ''or any individual member of the Selected Reserve,'' after ''title),''; and

(3) by adding at the end the following new paragraph:

''(2) Support provided under paragraph (1) may include the following:

''(A) Support to a geographic combatant command or other combatant command for which regular forces are inadequate at the time such support is provided, including support to training exercises sponsored by the combatant command and non-combat missions related to a named operation.

''(B) Support to a military department for non-combat missions for which regular forces are inadequate at the time such support is provided, including support to training exercises sponsored by the military department and non-combat missions related to a named operation.''.

(b) LIMITATIONS.—Subsection (b)(1) of such section is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii) and redesignating the margins of such clauses, as so redesignated, four ems from the left margin;

(2) by striking ''if—'' and inserting ''if—

''(A) both—'';

(3) in clause (ii), as so redesignated, by striking the period and inserting ''; or''; and

(4) by adding at the end the following new subparagraph:

''(B) the military department to which the unit or individual members are assigned reprograms funds in the fiscal year in which support is provided in order to provide for the manpower and associated costs of the members ordered to active duty.''.

(c) TREATMENT OF MEMBERS.—

(1) IN GENERAL.—Such section is further amended—

(A) by redesignating subsections (f) through (i) as subsections (g) through (j), respectively; and

(B) by inserting after subsection (e) the following new subsection (f):

''(f) TREATMENT OF MEMBERS.—Any member ordered to active duty pursuant to this section shall be entitled while on and in connection with such duty to the benefits to which members of the Ready Reserve are entitled while on and in connection with duty to which ordered pursuant to section 12302 of this title.''.

(2) RETIRED PAY FOR NON-REGULAR SERVICE.—Section 12731(f)(2)(B)(i) of such title is amended by inserting ''or 12304b'' after ''12301(d)''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act, and shall apply to members of the Selected Reserve ordered to active duty pursuant to section 12304b of title 10, United States Code, on or after that date.

(d) CONFORMING AMENDMENTS.—Setion12304b of such title is further amended—

(1) in subsections (d) and (e), by inserting ''or member'' after ''any unit''; and

(2) in subsection (h), as redesignated by subsection (c)(1) of this section, by inserting ''or members'' after ''which units''.

(e) HEADING AND CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

''§ 12304b. Selected Reserve: order to active duty for preplanned missions in support of the combatant commands and the military departments''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 1209 of such title is amended by striking the item relating to section 12304b and inserting the following new item:

''12304b. Selected Reserve: order to active duty for preplanned missions in support of the combatant commands and the military departments.''.

(f) EXCLUSION FROM DISCRETIONARY SPENDING LIMITS.—The Office of Management and Budget shall not include amounts appropriated for manpower costs or associated costs of performing duty under the amendments to section 12304b of title 10, United States Code, made by this section in determining whether there has been a breach of the discretionary spending limits under the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) during any fiscal year.

SA 1928. Mr. CASSIDY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 38, between lines 10 and 11, insert the following:

(c) RE-ENGINING STUDY.—the Air Force shall submit their B-52 re-engine analysis to the congressional defense committees not later than 90 days after the date of the enactment of this Act.

SA 1929. Mr. WYDEN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 535.

SA 1930. Mr. LEAHY (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 530, line 11, insert '', since November 1, 2013,'' before ''have been transferred''.

SA 1931. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1065. ANNUAL REPORTS OF THE CHIEF OF THE NATIONAL GUARD BUREAU ON THE ABILITY OF THE NATIONAL GUARD TO MEETS ITS MISSIONS.

Section 10504(a) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' before ''The Chief of the National Guard Bureau'';

(2) in paragraph (1), as so designated, by striking '', through the Secretaries of the Army and the Air Force,'';

(3) by striking the second sentence; and

(4) by adding at the end the following new paragraphs:

''(2) Each report shall include the following:

''(A) An assessment, prepared in conjunction with the Secretaries of the Army and the Air Force, of the ability of the National Guard to carry out its Federal missions.

''(B) An assessment, prepared in conjunction with the chief executive officers of the States and territories, of the ability of the National Guard to carry out emergency support functions of the National Response Framework.

''(3) Each report may be submitted in classified and unclassified versions.''.

SA 1932. Mr. REED submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 510, line 25, strike '', in unclassified form,''.

On page 511, between lines 13 and 14, insert the following:

(3) Whether, as of the date of the report, the basis for the first designation or assessment remains valid.

On page 511, beginning on line 21, strike ''and the designation or assessment to which changed'' and insert '', the designation or assessment to which changed, and information on, and a justification for, the change in the designation or assessment''.

On page 512, between lines 6 and 7, insert the following:

(c) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SA 1933. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 738. REPORT ON CREDENTIALING OF PHYSICIANS SERVING ON ACTIVE DUTY IN THE ARMED FORCES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Veterans Affairs, shall submit to Congress a report on—

(1) the full credentialing process for a member of the Armed Forces on active duty serving as a physician, including any uniform standards used throughout the Department of Defense for such process; and

(2) the feasibility and advisability of the Department of Veterans Affairs recognizing a credential issued under such process in order to facilitate the transition of such member to employment in the Department of Veterans Affairs upon the retirement, separation, or release of such member from the Armed Forces.

SA 1934. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe

military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 738. REPORT ON SHARING OF PHYSICIAN WORKFORCE AMONG DEPARTMENT OF DEFENSE AND DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to Congress a report on the use and efficacy of memoranda of understanding entered into between the Department of Defense and the Department of Veterans Affairs that allow for the sharing of physicians between each such Department.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) Information on—

(A) the location of each physician shared by the Department of Defense and the Department of Veterans Affairs, including the name of the facility or facilities at which the physician works;

(B) the specialty, if any, of each physician described in subparagraph (A); and

(C) the purpose, if any, stated by the Department of Defense and the Department of Veterans Affairs for sharing each physician described in subparagraph (A).

(2) The total number of physicians shared by the Department of Defense and the Department of Veterans Affairs, disaggregated by Department.

(3) A description of the administrative actions required to be taken by the Secretary of Defense and the Secretary of Veterans Affairs to ensure the sharing of scheduling records and medical records between the Department of Defense and the Department of Veterans Affairs for physicians shared between each such Department.

(4) The impact of sharing physicians on wait times and patient loads at each medical facility of the Department of Defense and the Department of Veterans Affairs.

(5) An assessment of the policies of the Department of Defense and the Department of Veterans Affairs that hinder the sharing of physicians between each such Department.

(6) An identification of any excess capacity among physicians of the Department of Defense or the Department of Veterans Affairs.

SA 1935. Mr. MCCONNELL (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 209, line 19, strike ''1.3 percent'' and insert ''2.3 percent''.

On page 210, between lines 4 and 5, insert the following:

(d) FUNDING.—

(1) INCREASE IN AMOUNT FOR MILITARY PERSONNEL.—The amount authorized to be appropriated for fiscal year 2016 by section 421 is hereby increased by the amount necessary to provide an increase in military basic pay under subsection (b) by 2.3 percent rather than 1.3 percent, with the amount to be available for military personnel to provide such increase.

(2) OFFSET.—The aggregate amount authorized to be appropriated for fiscal year 2016 by this division, other than the amount authorized to be appropriated by section 421, is hereby reduced by the amount necessary to provide an increase in military basic pay under subsection (b) by 2.3 percent rather than 1.3 percent, with the amount of the reduction to be achieved by terminating funding for projects determined to be low-priority projects by the Joint Chiefs of Staff.

SA 1936. Mr. MCCONNELL (for Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title X, add the following:

SEC. 1040. LIMITATION OF THE TRANSFER OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE GOVERNMENT OF CUBA.

(a) IN GENERAL.—No portion of the land or water listed by Article I of the United States-Cuba Agreements and Treaty of 1934 shall be transferred to the Government of Cuba, unless—

(1) a democratically-elected Government of Cuba and the United States Government mutually agree to new lease terms for such land or water;

(2) the elections of the Government of Cuba were—

(A) free and fair;

(B) conducted under internationally recognized observers; and

(C) carried out so that opposition parties had ample time to organize and campaign using full access media available to every candidate;

(3) the Government of Cuba has committed itself to constitutional change that would ensure regular free and fair elections;

(4) the Government of Cuba has made a public commitment to respect, and is respecting, internationally recognized human rights and basic democratic freedoms;

(5) the President certifies to Congress that Cuba is no longer a state sponsor of terrorism and no longer harbors members of recognized foreign terrorist organizations; and

(6) the Secretary of Defense certifies that the United States Naval Station, Guantanamo Bay, Cuba, is not advantageous to United States national security or to the operation of the Navy and the Coast Guard in the Caribbean Sea.

(b) CONTINUATION OF CURRENT LEASE.—It shall be the policy of the United States to continue to lease the land or waterways that encompass the United States Naval Station, Guantanamo Bay, Cuba, unless the criteria set out in paragraphs (1) through (6) of subsection (a) are met.

SEC. 1040A. LIMITATION ON MODIFICATION OR ABANDONMENT OF LEASED LAND AND WATER CONTAINING UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) LIMITATION.—The United States may not modify the 45 square mile lease of land or waterways that encompass the United States Naval Station, Guantanamo Bay, Cuba, in effect on the date of the enactment of this Act, unless—

(1) the President notifies Congress not later than 90 days prior to the proposed modification of such lease; and

(2) after such notification, Congress enacts a law authorizing a modification of such lease.

(b) RETENTION.—The United States may not abandon any portion of the land or water that contains the United States Naval Station, Guantanamo Bay, Cuba, unless—

(1) the President notifies Congress not less than 90 days prior to the proposed abandonment of such land or water; and

(2) after such notification, Congress enacts a law authorizing such abandonment.

(c) NO NEW GRANT OF AUTHORITY.—This section may not be construed to grant the President any authority not already provided by the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6021 et seq.).

SA 1937. Ms. AYOTTE (for herself and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 210, strike lines 9 through 12 and insert the following:

(a) MODIFICATION OF PERCENTAGE USABLE.—Section 403(b)(3)(B) of title 37, United States Code, is amended by striking ''may not exceed one percent.'' and inserting ''may not exceed the following:

''(i) In the case of members in pay grades E–5 and above, five percent.

''(ii) In the case of members in pay grades E–1 through E–4—

''(I) one percent; or

''(II) if the Secretary determines that one percent would result in a monthly amount of basic allowance for housing for such area for such members that is greater than the monthly amount of basic allowance for housing for such area for members in pay grade E–5, the lesser of—

''(aa) five percent; or

''(bb) a percent (determined by the Secretary) such that the monthly amount of basic allowance for housing for such area for members in pay grades E–1 through E–4 is equal to the monthly amount of basic allowance for housing for such area for members in pay grade E–5 minus $1''.

(b) FUNDING.—The amount authorized to be appropriated for fiscal year 2016 by section 421 for military personnel is hereby increased by $75,000,000.

(c) OFFSET.—The aggregate amount authorized to be appropriated for fiscal year 2016 by division A is hereby reduced by $75,000,000, with the amount of the reduction to be achieved through anticipated foreign currency gains in addition to any other anticipated foreign currency gains specified in the funding tables in division D.

SA 1938. Mr. MORAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe

military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle E of title VIII, add the following:

SEC. 884. REPORT ON ARMY ACQUISITION STRATEGY FOR THE TACTICAL NETWORK MODERNIZATION AND TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS TERRESTRIAL TRANSMISSION SYSTEM.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of the Army shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the Army's acquisition strategy for the Tactical Network Modernization and Transportable Tactical Command Communications Terrestrial Transmission System.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) An explanation of the rationale for delaying the TriLOS radio modernization until the fiscal year 2018-2020 period.

(2) An estimate of the total costs associated with delaying the modernization with regard to costs associated with additional prototyping and Initial Operational Test and Evaluation (IOT&E).

(3) An assessment of the GRC-245C immediate utilization potential to meet the program objectives required by Expeditionary Signal Battalions (ESBs) and Army units to meet the TriLOS radio modernization as defined in the requirements for a Terrestrial Transmission System outlined in the operational requirements of the G-3/5/7 Directed Requirement and Transmission Capabilities Production Document (CPD).

SA 1939. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VI, add the following:

SEC. 622. TRAVEL ON DEPARTMENT OF DEFENSE AIRCRAFT ON A SPACE-AVAILABLE BASIS FOR MEMBERS OF THE NATIONAL GUARD AND THE RESERVES.

(a) ELIGIBILITY.—Subsection (c) of section 2641b of title 10, United States Code, is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph (5):

''(5) Members of the reserve components not otherwise eligible for travel under the program pursuant to this subsection.''.

(b) CONDITIONS.—Subsection (d) of such section is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following new paragraph:

''(4) in the case of members eligible for travel under the program pursuant to subsection (c)(5)—

''(A) travel under the program shall be available on all contract flights operated by the Department of Defense for the transportation of passengers;

''(B) in the case of travel on any military or contract aircraft traveling from outside the continental United States (OCONUS) to the continental United States (CONUS), eligibility shall cease at the first point of entry to the continental United States; and

''(C) in the case of travel on any military or contract aircraft traveling from the continental United States to outside the continental United States, eligibility shall cease at the first point of entry outside the continental United States.''.

SA 1940. Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXVIII, add the following:

SEC. 2822. LAND CONVEYANCE, CAMPION AIR FORCE RADAR STATION, GALENA, ALASKA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the Town of Galena, Alaska (in this section referred to as the ''Town''), all right, title, and interest of the United States in and to real property, including improvements thereon, at the former Campion Air Force Station, Alaska, as further described in subsection (b), for the purpose of permitting the Town to use the conveyed property for public purposes.

(b) DESCRIPTION OF PROPERTY.—The real property to be conveyed under subsection (a) consists of approximately 1290 acres of the approximately 1613 acres of land withdrawn under Public Land Order 843 for use by the Secretary of the Air Force as the former Campion Air Force Station. The portions of the former Air Force Station that are not authorized to be conveyed under subsection (a) are those portions that are subject to environmental land use restrictions or are currently undergoing environmental remediation by the Secretary of the Air Force.

(c) CONSULTATION.—The Secretary of the Air Force shall consult with the Secretary of the Interior on the exact acreage and legal description of the real property to be conveyed under subsection (a) and conditions to be included in the conveyance that are necessary to protect human health and the environment.

(d) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Air Force shall require the Town to cover all costs (except costs for environmental remediation of the property) to be incurred by the Secretary of the Air Force and by the Secretary of the Interior, or to reimburse the appropriate Secretary for such costs incurred by the Secretary, to carry out the conveyance under this section, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the appropriate Secretary shall refund the excess amount to the Town.

(2) TREATMENT OF AMOUNTS RECEIVED.—

(A) SECRETARY OF THE AIR FORCE.—Amounts received by the Secretary of the Air Force as reimbursement under paragraph (1) shall be credited, at the option of the Secretary, to the appropriation, fund, or account from which the expenses were paid, or to an appropriate appropriation, fund, or account currently available to the Secretary for the purposes for which the expenses were paid. Amounts so credited shall be merged with funds in such appropriation, fund, or account and shall be available for the same purposes and subject to the same limitations as the funds with which merged.

(B) SECRETARY OF THE INTERIOR.—Amounts received by the Secretary of the Interior as reimbursement under paragraph (1) shall be credited, at the option of the Secretary, to the appropriation, fund, or account from which the expenses were paid, or to an appropriate appropriation, fund, or account currently available to the Secretary for the purposes for which the expenses were paid. Amounts so credited shall be merged with funds in such appropriation, fund, or account and shall be available for the same purposes and subject to the same limitations as the funds with which merged.

(e) CONVEYANCE AGREEMENT.—The conveyance of public land under this section shall be accomplished using a quit claim deed or other legal instrument and upon terms and conditions mutually satisfactory to the Secretary of the Air Force, after consulting with the Secretary of the Interior, and the Town, including such additional terms and conditions as the Secretary of the Air Force, after consulting with the Secretary of the Interior, considers appropriate to protect the interests of the United States.

SA 1941. Mr. BLUNT submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 738. REPORT ON IMPLEMENTATION OF ANNUAL MENTAL HEALTH SCREENINGS FOR MEMBERS OF THE ARMED FORCES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the annual mental health assessment for members of the Armed Forces provided under section 1074n of title 10, United States Code, may be improved by providing members undergoing such an assessment with a record of events, including non-combat related events, to substantiate latent mental health issues that appear months or years after the causal incident;

(2) some members may not know how to request help with mental health concerns in connection with such assessment and not all health care providers fully discuss mental health concerns during such assessment;

(3) the majority of mild traumatic brain injury inducing incidents are not diagnosed during combat deployment, so when symptoms do appear, there may be no mechanism for health care providers to link the injury back to the causal incident;

(4) the provision of such assessment may not recognize incidents described in paragraph (3) unless the member provides information regarding those incidents to a health care provider;

(5) when latent mental health symptoms appear after a member is discharged, the

member may not be eligible to receive treatment from the Department of Veterans Affairs without a record of causal justification;

(6) the Secretary of Defense has an obligation to identify as quickly and efficiently as possible without disrupting military readiness the mental health concerns that persist among members of the Armed Forces unbeknownst to those members and the health care providers of those members; and

(7) the Department of Defense and the Defense Health Agency are currently developing a standardized periodic health assessment tool that incorporates a screening for depression, post-traumatic stress, substance use, and risk for suicide through a person-to-person dialogue using the same question set used for mental health assessments provided to members of the Armed Forces undergoing deployment.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the implementation of mental health assessments provided to members of the Armed Forces under section 1074n of title 10, United States Code, that includes a description of—

(1) the reliability of such assessments;

(2) any significant changes in mental health concerns among members of the Armed Forces as a result of such assessments;

(3) any areas in which the provision of such assessments to members of the Armed Forces needs to improve; and

(4) such additional information as the Secretary considers necessary relating to mental health screening and treatment of members of the Armed Forces.

SA 1942. Mr. BOOZMAN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. RETURN OF HUMAN REMAINS BY THE NATIONAL MUSEUM OF HEALTH AND MEDICINE.

The National Museum of Health and Medicine shall facilitate the relocation of the human cranium that is in the possession of the National Museum of Health and Medicine and that is associated with the Mountain Meadows Massacre of 1857 for interment at the Mountain Meadows grave site.

SA 1943. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ASSESSMENT OF THE ABILITY OF INDUSTRIAL BASE TO MANUFACTURE ANCHOR AND MOORING CHAIN.

(a) ASSESSMENT.—The Secretary of Defense shall conduct an assessment of the ability of the industrial base to manufacture and support anchor and mooring chain for the Department of Defense.

(b) SCOPE.—In conducting the assessment required under subsection (a), the Secretary shall examine the potential cost, schedule, and performance impacts if procurement of the anchor and mooring chain described in such subsection were limited to manufacturers in the National Technology and Industrial Base.

(c) DETERMINATION REQUIRED.—Upon completion of the assessment required under subsection (a), the Secretary shall make a determination whether manufacturers of the anchor and mooring chain described in such subsection should be included in the National Technology and Industrial Base.

(d) REPORT.—Not later than February 15, 2016, the Secretary of Defense shall submit to the congressional defense committees a report including the results of the assessment required under subsection (a) and the determination required under subsection (c).

SA 1944. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. REFORM AND IMPROVEMENT OF PERSONNEL SECURITY, INSIDER THREAT DETECTION AND PREVENTION, AND PHYSICAL SECURITY.

(a) PERSONNEL SECURITY AND INSIDER THREAT PROTECTION IN DEPARTMENT OF DEFENSE.—

(1) PLANS AND SCHEDULES.—Consistent with the Memorandum of the Secretary of Defense dated March 18, 2014, regarding the recommendations of the reviews of the Washington Navy Yard shooting, the Secretary of Defense shall develop plans and schedules—

(A) to implement a continuous evaluation capability for the national security population for which clearance adjudications are conducted by the Department of Defense Central Adjudication Facility, in coordination with the Director of the Office of Personnel Management, the Director of National Intelligence, and the Director of the Office of Management and Budget;

(B) to produce a Department-wide insider threat strategy and implementation plan, which includes—

(i) resourcing for the Defense Insider Threat Management and Analysis Center (DITMAC) and component insider threat programs, and

(ii) alignment of insider threat protection programs with continuous evaluation capabilities and processes for personnel security;

(C) to centralize the authority, accountability, and programmatic integration responsibilities, including fiscal control, for personnel security and insider threat protection under the Under Secretary of Defense for Intelligence;

(D) to align the Department's consolidated Central Adjudication Facility under the Under Secretary of Defense for Intelligence;

(E) to develop a defense security enterprise reform investment strategy to ensure a consistent, long-term focus on funding to strengthen all of the Department's security and insider threat programs, policies, functions, and information technology capabilities, including detecting threat behaviors conveyed in the cyber domain, in a manner that keeps pace with evolving threats and risks;

(F) to resource and expedite deployment of the Identity Management Enterprise Services Architecture (IMESA); and

(G) to implement the recommendations contained in the study conducted by the Director of Cost Analysis and Program Evaluation required by section 907 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 1564 note), including, specifically, the recommendations to centrally manage and regulate Department of Defense requests for personnel security background investigations.

(2) REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report describing the plans and schedules required under paragraph (1).

(b) PHYSICAL AND LOGICAL ACCESS.—Not later than 270 days after the date of the enactment of this Act—

(1) the Secretary of Defense shall define physical and logical access standards, capabilities, and processes applicable to all personnel with access to Department of Defense installations and information technology systems, including—

(A) periodic or regularized background or records checks appropriate to the type of physical or logical access involved, the security level, the category of individuals authorized, and the level of access to be granted;

(B) standards and methods for verifying the identity of individuals seeking access; and

(C) electronic attribute-based access controls that are appropriate for the type of access and facility or information technology system involved;

(2) the Director of the Office of Management and Budget and the Chair of the Performance Accountability Council, in coordination with the Secretary of Defense, the Director of the Office of Personnel Management, and the Administrator of General Services, and in consultation with representatives from organizations representing Federal and contractor employees who each have access to more than 1 secured facility, shall design a capability to share and apply electronic identity information across the Government to enable real-time, risk-managed physical and logical access decisions; and

(3) the Director of the Office of Management and Budget, in conjunction with the Director of the Office of Personnel Management and in consultation with representatives from organizations representing Federal and contractor employees who each have access to more than 1 secured facility, shall establish investigative and adjudicative standards for the periodic or regularized reevaluation of the eligibility of an individual to retain credentials issued pursuant to Homeland Security Presidential Directive 12 (dated August 27, 2004), as appropriate, but not less frequently than the authorization period of the issued credentials.

(c) SECURITY ENTERPRISE MANAGEMENT.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall—

(1) formalize the Security, Suitability, and Credentialing Line of Business;

(2) submit a report to the appropriate congressional committee that describes plans—

(A) for oversight by the Office of Management and Budget of activities of the executive branch of the Government for personnel security, suitability, and credentialing;

(B) to designate enterprise shared services to optimize investments;

(C) to define and implement data standards to support common electronic access to critical Government records; and

(D) to reduce the burden placed on Government data providers by centralizing requests for records access and ensuring proper sharing of the data with appropriate investigative and adjudicative elements.

(d) RECIPROCITY MANAGEMENT.—Not later than 2 years after the date of enactment of this Act, the Director of the Office of Personnel Management, in consultation with the Director of the Office of Management and Budget, the Director of National Intelligence, and the Secretary of Defense, shall enhance the Central Verification System to—

(1) serve as the reciprocity management system for the Government; and

(2) ensure that the Central Verification System is aligned with continuous evaluation and other enterprise reform initiatives.

(e) REPORTING REQUIREMENTS IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the Director of National Intelligence, the Director of the Office of Management and Budget, the Director of the Office of Personnel Management, and the Secretary of Defense shall jointly develop a plan to—

(1) implement the Security Executive Agent Directive on common, standardized employee and contractor security reporting requirements;

(2) establish and implement uniform reporting requirements for employees and Federal contractors, according to risk, relative to the safety of the workforce and protection of the most sensitive information of the Government; and

(3) ensure that reported information is shared appropriately.

(f) ACCESS TO CRIMINAL HISTORY RECORDS FOR NATIONAL SECURITY AND OTHER PURPOSES.—

(1) DEFINITION.—Section 9101(a) of title 5, United States Code, is amended by adding at the end the following:

''(7) The terms 'Security Executive Agent' and 'Suitability Executive Agent' mean the Security Executive Agent and the Suitability Executive Agent, respectively, established under Executive Order 13467 (73 Fed. Reg. 38103), or any successor thereto.''.

(2) COVERED AGENCIES.—Section 9101(a)(6) of title 5, United States Code, is amended by adding at the end the following:

''(G) The Department of Homeland Security.

''(H) The Office of the Director of National Intelligence.

''(I) An Executive agency that—

''(i) is authorized to conduct background investigations under a Federal statute; or

''(ii) is delegated authority to conduct background investigations in accordance with procedures established by the Security Executive Agent or the Suitability Executive Agent under subsection (b) or (c)(iv) of section 2.3 of Executive Order 13467 (73 Fed. Reg. 38103), or any successor thereto.

''(J) A contractor that conducts a background investigation on behalf of an agency described in subparagraphs (A) through (I).''.

(3) APPLICABLE PURPOSES OF INVESTIGATIONS.—Section 9101(b)(1) of title 5, United States Code, is amended—

(A) by redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and adjusting the margins accordingly;

(B) in the matter preceding clause (i), as redesignated—

(i) by striking ''the head of'';

(ii) by inserting ''all'' before ''criminal history record information''; and

(iii) by striking ''for the purpose of determining eligibility for any of the following:'' and inserting '', in accordance with Federal Investigative Standards jointly promulgated by the Suitability Executive Agent and Security Executive Agent, for the purpose of—

''(A) determining eligibility for—'';

(C) in clause (i), as redesignated—

(i) by striking ''Access'' and inserting ''access''; and

(ii) by striking the period and inserting a semicolon;

(D) in clause (ii), as redesignated—

(i) by striking ''Assignment'' and inserting ''assignment''; and

(ii) by striking the period and inserting ''or positions;'';

(E) in clause (iii), as redesignated—

(i) by striking ''Acceptance'' and inserting ''acceptance''; and

(ii) by striking the period and inserting ''; or'';

(F) in clause (iv), as redesignated—

(i) by striking ''Appointment'' and inserting ''appointment'';

(ii) by striking ''or a critical or sensitive position''; and

(iii) by striking the period and inserting ''; or''; and

(G) by adding at the end the following:

''(B) conducting a basic suitability or fitness assessment for Federal or contractor employees, using Federal Investigative Standards jointly promulgated by the Security Executive Agent and the Suitability Executive Agent in accordance with—

''(i) Executive Order 13467 (73 Fed. Reg. 38103), or any successor thereto; and

''(ii) the Office of Management and Budget Memorandum 'Assignment of Functions Relating to Coverage of Contractor Employee Fitness in the Federal Investigative Standards', dated December 6, 2012;

''(C) credentialing under the Homeland Security Presidential Directive 12 (dated August 27, 2004); and

''(D) Federal Aviation Administration checks required under—

''(i) the Federal Aviation Administration Drug Enforcement Assistance Act of 1988 (subtitle E of title VII of Public Law 100–690; 102 Stat. 4424) and the amendments made by that Act; or

''(ii) section 44710 of title 49.''.

(4) BIOMETRIC AND BIOGRAPHIC SEARCHES.—Section 9101(b)(2) of title 5, United States Code, is amended to read as follows:

''(2)(A) A State central criminal history record depository shall allow a covered agency to conduct both biometric and biographic searches of criminal history record information.

''(B) Nothing in subparagraph (A) shall be construed to prohibit the Federal Bureau of Investigation from requiring a request for criminal history record information to be accompanied by the fingerprints of the individual who is the subject of the request.''.

(5) USE OF MOST COST-EFFECTIVE SYSTEM.—Section 9101(e) of title 5, United States Code, is amended by adding at the end the following:

''(6) If a criminal justice agency is able to provide the same information through more than 1 system described in paragraph (1), a covered agency may request information under subsection (b) from the criminal justice agency, and require the criminal justice agency to provide the information, using the system that is most cost-effective for the Federal Government.''.

(6) SEALED OR EXPUNGED RECORDS; JUVENILE RECORDS.—

(A) IN GENERAL.—Section 9101(a)(2) of title 5, United States Code, is amended—

(i) in the first sentence, by inserting before the period the following: '', and includes any analogous juvenile records''; and

(ii) by striking the third sentence and inserting the following: ''The term includes those records of a State or locality sealed pursuant to law if such records are accessible by State and local criminal justice agencies for the purpose of conducting background checks.''.

(B) SENSE OF CONGRESS.—It is the sense of Congress that the Federal Government should not uniformly reject applicants for employment with the Federal Government or Federal contractors based on—

(i) sealed or expunged criminal records; or

(ii) juvenile records.

(7) INTERACTION WITH LAW ENFORCEMENT AND INTELLIGENCE AGENCIES ABROAD.—Section 9101 of title 5, United States Code, is amended by adding at the end the following:

''(g) Upon request by a covered agency and in accordance with the applicable provisions of this section, the Deputy Assistant Secretary of State for Overseas Citizens Services shall make available criminal history record information collected by the Deputy Assistant Secretary with respect to an individual who is under investigation by the covered agency regarding any interaction of the individual with a law enforcement agency or intelligence agency of a foreign country.''.

(8) CLARIFICATION OF SECURITY REQUIREMENTS FOR CONTRACTORS CONDUCTING BACKGROUND INVESTIGATIONS.—Section 9101 of title 5, United States Code, as amended by this subsection, is amended by adding at the end the following:

''(h) If a contractor described in subsection (a)(6)(J) uses an automated information delivery system to request criminal history record information, the contractor shall comply with any necessary security requirements for access to that system.''.

(9) CLARIFICATION REGARDING ADVERSE ACTIONS.—Section 7512 of title 5, United States Code, is amended—

(A) in subparagraph (D), by striking ''or'';

(B) in subparagraph (E), by striking the period and inserting '', or''; and

(C) by adding at the end the following:

''(F) a suitability action taken by the Office under regulations prescribed by the Office, subject to the rules prescribed by the President under this title for the administration of the competitive service.''.

(10) ANNUAL REPORT BY SUITABILITY AND SECURITY CLEARANCE PERFORMANCE ACCOUNTABILITY COUNCIL.—Section 9101 of title 5, United States Code, as amended by this subsection, is amended by adding at the end the following:

''(i) The Suitability and Security Clearance Performance Accountability Council established under Executive Order 13467 (73 Fed. Reg. 38103), or any successor thereto, shall submit to the Committee on Armed Services, the Committee on Homeland Security and Governmental Affairs, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate, and the Committee on Armed Services, the Committee on Oversight and Government Reform, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives, an annual report that—

''(1) describes efforts of the Council to integrate Federal, State, and local systems for sharing criminal history record information;

''(2) analyzes the extent and effectiveness of Federal education programs regarding criminal history record information;

''(3) provides an update on the implementation of best practices for sharing criminal history record information, including ongoing limitations experienced by investigators working for or on behalf of a covered agency with respect to access to State and local criminal history record information; and

''(4) provides a description of limitations on the sharing of information relevant to a background investigation, other than criminal history record information, between—

''(A) investigators working for or on behalf of a covered agency; and

''(B) State and local law enforcement agencies.''.

(11) GAO REPORT ON ENHANCING INTEROPERABILITY AND REDUCING REDUNDANCY IN FEDERAL CRITICAL INFRASTRUCTURE PROTECTION ACCESS CONTROL, BACKGROUND CHECK, AND CREDENTIALING STANDARDS.—

(A) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the background check, access control, and credentialing requirements of Federal programs for the protection of critical infrastructure and key resources.

(B) CONTENTS.—The Comptroller General shall include in the report required under subparagraph (A)—

(i) a summary of the major characteristics of each such Federal program, including the types of infrastructure and resources covered;

(ii) a comparison of the requirements, whether mandatory or voluntary in nature, for regulated entities under each such program to—

(I) conduct background checks on employees, contractors, and other individuals;

(II) adjudicate the results of a background check, including the utilization of a standardized set of disqualifying offenses or the consideration of minor, non-violent, or juvenile offenses; and

(III) establish access control systems to deter unauthorized access, or provide a security credential for any level of access to a covered facility or resource;

(iii) a review of any efforts that the Screening Coordination Office of the Department of Homeland Security has undertaken or plans to undertake to harmonize or standardize background check, access control, or credentialing requirements for critical infrastructure and key resource protection programs overseen by the Department; and

(iv) recommendations, developed in consultation with appropriate stakeholders, regarding—

(I) enhancing the interoperability of security credentials across critical infrastructure and key resource protection programs;

(II) eliminating the need for redundant background checks or credentials across existing critical infrastructure and key resource protection programs;

(III) harmonizing, where appropriate, the standards for identifying potentially disqualifying criminal offenses and the weight assigned to minor, nonviolent, or juvenile offenses in adjudicating the results of a completed background check; and

(IV) the development of common, risk-based standards with respect to the background check, access control, and security credentialing requirements for critical infrastructure and key resource protection programs.

(g) DEFINITIONS.—In this section—

(1) the term ''appropriate committees of Congress'' means—

(A) the congressional defense committees;

(B) the Select Committee on Intelligence and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Permanent Select Committee on Intelligence, the Committee on Oversight and Government Reform, and the Committee on Homeland Security of the House of Representatives; and

(2) the term ''Performance Accountability Council'' means the Suitability and Security Clearance Performance Accountability Council established under Executive Order 13467 (73 Fed. Reg. 38103), or any successor thereto.

SA 1945. Ms. CANTWELL (for herself, Mr. SULLIVAN, and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 123, strike line 9 and insert the following:

(7) The Coast Guard Reserve, 7,300.

SA 1946. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 30, strike line 16 and all that follows through page 33, line 13, and insert the following:

(a) IN GENERAL.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2016 for research and development, design, construction, procurement or advanced procurement of materials for the Littoral Combat Ships designated as LCS 33 or subsequent, not more than 75 percent may be obligated or expended until the Secretary of the Navy submits to the Committees on Armed Services of the Senate and the House of Representatives each of the following:

(1) A Capabilities Based Assessment or equivalent report to assess capability gaps and associated capability requirements and risks for the upgraded Littoral Combat Ship, which is proposed to commence with LCS 33. This assessment or equivalent report shall conform with the Joint Capabilities Integration and Development System, including Chairman of the Joint Chiefs of Staff Instruction 3170.01H.

(2) A certification that the Joint Requirements Oversight Council has validated an updated Capabilities Development Document for the upgraded Littoral Combat Ship.

(3) A report describing the upgraded Littoral Combat Ship modernization, which shall, at a minimum, include the following elements:

(A) A description of capabilities that the LCS program delivers, and a description of how these relate to the characteristics of the future joint force identified in the Capstone Concept for Joint Operations, concept of operations, and integrated architecture documents.

(B) A summary of analyses and studies conducted on LCS modernization.

(C) A concept of operations for LCS modernization ships at the operational level and tactical level describing how they integrate and synchronize with joint and combined forces to achieve the Joint Force Commander's intent.

(D) A description of threat systems of potential adversaries that are projected or assessed to reach initial operational capability within 15 years against which the lethality and survivability of the LCS should be determined.

(E) A plan and timeline for LCS modernization program execution.

(F) A description of system capabilities required for LCS modernization, including key performance parameters and key system attributes.

(G) A plan for family of systems or systems of systems synchronization.

(H) A plan for information technology and national security systems supportability.

(I) A plan for intelligence supportability.

(J) A plan for electromagnetic environmental effects (E3) and spectrum supportability.

(K) A description of assets required to achieve initial operational capability (IOC) of an LCS modernization increment.

(L) A schedule and initial operational capability and full operational capability definitions.

(M) A description of doctrine, organization, training, materiel, leadership, education, personnel, facilities, and policy considerations.

(N) A description of other system attributes.

(4) A plan for future periodic combat systems upgrades, which are necessary to ensure relevant capability throughout the Littoral Combat Ship or Frigate class service lives, using the process described in paragraph (3).

(b) WAIVER.—The Secretary of the Navy may waive the funding limitation under subsection (a) upon submission of a determination to Congress that—

(1) application of the limitation would impede the timely acquisition of LCS 33 or subsequent ships in a manner that would undermine the national security of the United States; and

(2) application of the limitation would result in a gap in production or additional procurement costs;

(c) RULE OF CONSTRUCTION.—Nothing in subsection (b) shall be construed as authorizing the Secretary of the Navy to not submit the information required under paragraphs (1) through (4) of subsection (a).

SA 1947. Ms. BALDWIN (for herself and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS TO CONDUCT WARRANTLESS SEARCHES FOR THE COMMUNICATIONS OF UNITED STATES PERSONS.

Section 702(b) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1881a(b)) is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting such subparagraphs, as so redesignated, an additional two ems from the left margin;

(2) by striking ''An acquisition'' and inserting the following:

''(1) IN GENERAL.—An acquisition''; and

(3) by adding at the end the following:

''(2) CLARIFICATION ON PROHIBITION ON SEARCHING OF COLLECTIONS OF COMMUNICATIONS OF UNITED STATES PERSONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), no officer or employee of the United States may conduct a search of a collection of communications acquired under this section in an effort to find communications of a particular United States person (other than a corporation).

''(B) CONCURRENT AUTHORIZATION AND EXCEPTION FOR EMERGENCY SITUATIONS.—Subparagraph (A) shall not apply to a search for communications related to a particular United States person if—

''(i) such United States person is the subject of an order or emergency authorization authorizing electronic surveillance or physical search under section 105, 304, 703, 704, or 705 of this Act, or under title 18, United States Code, for the effective period of that order;

''(ii) the entity carrying out the search has a reasonable belief that the life or safety of such United States person is threatened and the information is sought for the purpose of assisting that person; or

''(iii) such United States person has consented to the search.''.

SA 1948. Mr. WHITEHOUSE (for himself, Mr. FRANKEN, and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. SENSE OF CONGRESS ON NATIONAL SECURITY IMPLICATIONS OF CLIMATE CHANGE.

(a) FINDINGS.—Congress makes the following findings:

(1) The 2015 National Security Strategy states that climate change is ''an urgent and growing threat to our national security''.

(2) The 2014 Quadrennial Defense Review describes long-term strategies and initiatives for the Department of Defense and states that—

(A) ''the pressures caused by climate change will influence resource competition while placing additional burdens on economies, societies, and governance institutions around the world''; and

(B) the effects of climate change are ''threat multipliers'' that aggravate stressors abroad that can ''enable terrorist activity and other violence''.

(3) The 2014 Department of Defense Climate Change Adaptation Roadmap asserts that climate change will ''be felt across the full range of Department activities, including plans, operations, training, infrastructure, and acquisition'' and that among the potential effects of climate change are—

(A) ''instability within and among other nations'';

(B) ''decreased training/testing land-carrying capacity to support current testing and training rotation types or levels'';

(C) ''increased inundation, erosion, and flooding damage'' to Department of Defense infrastructure; and

(D) ''reduced availability of or access to the materials, resources, and industrial infrastructure needed to manufacture the Department's weapon systems and supplies''.

(4) The 2014 United States Government Accountability Office report entitled ''Climate Change Adaptation: DOD Can Improve Infrastructure Planning and Processes to Better Account for Potential Impacts'' assessed 15 sites at defense installations in the United States for vulnerability to the effects of climate change. The report found that climate change could affect Department of Defense readiness and fiscal exposure in the following ways:

(A) ''According to DOD officials, the combination of thawing permafrost, decreasing sea ice, and rising sea levels on the Alaskan coast has increased coastal erosion at several Air Force radar early warning and communication installations''.

(B) ''Impacts on DOD's infrastructure from this erosion have included damaged roads, seawalls, and runways''.

(C) ''Officials on a Navy installation told GAO that sea level rise and resulting storm surge are the two largest threats to their waterfront infrastructure''.

(D) ''Officials provided examples of impacts from reduced precipitation—such as drought and wildfire risk—and identified potential mission vulnerabilities—such as reduced live-fire training''.

(5) The 2014 CNA Corporation released a report entitled ''National Security Risks and the Accelerating Risks of Climate Change''. The report by the Corporation, the Military Advisory Board of which was comprised of 15 generals and admirals retired from the Army, the Navy, the Air Force, and the Marine Corps, found that—

(A) ''climate change impacts are already accelerating instability in vulnerable areas of the world and are serving as catalysts for conflict''; and

(B) ''actions by the United States and the international community have been insufficient to adapt to the challenges associated with projected climate change''.

(6) The Military Advisory Board also wrote that ''[w]e are dismayed that discussions of climate change have become so polarizing and have receded from the arena of informed public discourse and debate. Political posturing and budgetary woes cannot be allowed to inhibit discussion and debate over what so many believe to be a salient national security concern for our Nation''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that it is in the national security interests of the United States to assess, plan for, and mitigate the security and strategic implications of climate change.

SA 1949. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XII, add the following:

SEC. 1209. REPORT ON FEASIBILITY AND ADVISABILITY OF ESTABLISHING PERMANENT FOREIGN DISASTER ASSISTANCE FORCE WITHIN THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of the military departments, the Chairman of the Joint Chiefs of Staff, and the commander of each combatant command, shall submit to the congressional defense committees a report on the feasibility and advisability of establishing a permanent command structure along with permanently assigned forces (from either the active duty or reserve components) to respond to requests for foreign disaster assistance.

(b) ELEMENTS.—The report required under subsection (a) should include a description of—

(1) the funding mechanism and amount required to stand up and sustain a foreign assistance disaster force;

(2) the authorities and policies related to the role of the Department of Defense in foreign disaster assistance;

(3) the organizational and functional requirements of establishing a foreign disaster assistance force; and

(4) the requisite skills, experience, and training needed to sustain an effective disaster assistance response force that would be tasked with—

(A) planning and executing disaster response missions;

(B) coordinating with the Department of State, the United States Agency for International Development, and international and nongovernmental partners; and

(C) training partner countries in preparedness and response.

SA 1950. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 419, strike line 23 and all that follows through page 420, line 3 and insert the following:

(2) establish a process by which the contractor may appeal a determination by a contracting officer that an earlier determination was made in error or was based on inadequate information to the head of contracting for the agency; and

(3) establish a process by which a commercial item determination can be revoked in cases where the contracting officer has determined that an item may no longer meet the definition of a commercial item and through a price-reasonableness determination it is found that the Department of Defense would pay more for the item than it had previously or another source could provide a similar item for a lower price.

SA 1951. Mr. HEINRICH (for himself, Mr. ALEXANDER, Ms. BALDWIN, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment

SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VIII, add the following:

SEC. 884. TREATMENT OF HIGH-PERFORMANCE COMPUTING SYSTEMS AT DEPARTMENT OF DEFENSE AND DEPARTMENT OF ENERGY NATIONAL LABORATORIES AS NATIONAL SECURITY SYSTEMS.

(a) TREATMENT AS NATIONAL SECURITY SYSTEMS.—Consistent with the exceptions to certain requirements under subchapter II of chapter 35 of title 44, United States Code, applicable to national security systems, high-performance computing (HPC) systems at Department of Defense and Department of Energy laboratories shall, as national security systems, be exempt from requirements under section 11319 of title 40, United States Code.

(b) INFORMATION SHARING.—The head of each relevant agency shall develop procedures to ensure that the Chief Information Officer of the agency has access to all necessary and appropriate information on HPC programs and investments to fulfill the Chief Information Officer's duties.

SA 1952. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XVI, add the following:

SEC. 1628. SENSE OF CONGRESS ON CYBER WARFARE.

(a) FINDINGS.—Congress makes the following findings:

(1) As an instrument of power, information is a powerful tool to influence, disrupt, corrupt, or usurp an adversary's ability to make and share decisions.

(2) Within the information environment, actions taken in cyberspace are increasingly part of the battlefield.

(3) State and non-state adversaries deliver propaganda through publically available social media capabilities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) military information support operations should support Department of Defense communications efforts and act to augment efforts to degrade adversary combat power, reduce recruitment, minimize collateral damage, and maximize local support for operations; and

(2) the Secretary of Defense should develop advanced concepts to degrade adversary organizations using both traditional and emerging forms of communication and information related-capabilities.

SA 1953. Mr. REED submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 535 and insert the following:

SEC. 535. LIMITATION ON RECEIPT OF UNEMPLOYMENT INSURANCE WHILE RECEIVING POST-9/11 EDUCATION ASSISTANCE.

Section 8525 of title 5, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking ''or'' after the semicolon;

(B) in paragraph (2), by striking the period and inserting ''; or''; and

(C) by adding at the end the following:

''(3) except for an individual described in subsection (c), an educational assistance allowance under chapter 33 of title 38.''; and

(2) by adding at the end the following:

''(c) An individual described in this subsection is an individual—

''(1) who is otherwise entitled to compensation under this subchapter;

''(2) who is an individual described in section 3311(b) of title 38; and

''(3)(A) who—

''(i) did not voluntary separate from service in the Armed Forces or the Commissioned Corps of the National Oceanic and Atmospheric Administration (including through a reduction in force); and

''(ii) was discharged or released from such service under conditions other than dishonorable; or

''(B) who—

''(i) voluntary separated from service in the Armed Forces or the Commissioned Corps of the National Oceanic and Atmospheric Administration;

''(ii) was employed after such separation from such service; and

''(iii) was terminated from such employment other than for cause due to misconduct connected with work.''.

SA 1954. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 3115 and insert the following:

SEC. 3115. HANFORD WASTE TREATMENT AND IMMOBILIZATION PLANT CONTRACT OVERSIGHT.

(a) IN GENERAL.—Subtitle C of title XLIV of the Atomic Energy Defense Act (50 U.S.C. 2621 et seq.) is amended by adding at the end the following new section:

''SEC. 4446. HANFORD WASTE TREATMENT AND IMMOBILIZATION PLANT CONTRACT OVERSIGHT.

''(a) IN GENERAL.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, the Secretary of Energy shall arrange to have an owner's representative assist in carrying out the oversight responsibilities of the Department of Energy with respect to the contract described in subsection (b). The owner's representative shall report to the Office of River Protection of the Department of Energy.

''(b) CONTRACT DESCRIBED.—The contract described in this subsection is the contract between the Office of River Protection of the Department of Energy and Bechtel National, Inc. or its successor relating to the Hanford Waste Treatment and Immobilization Plant (contract number DE–AC27–01RV14136).

''(c) DUTIES.—The duties of the owner's representative under subsection (a) may include the following:

''(1) Assisting the Department of Energy with performing design, construction, commissioning, nuclear safety, and operability oversight of each facility covered by the contract described in subsection (b).

''(2) Beginning not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, assisting the Department of Energy to ensure that the preliminary documented safety analyses for the Low-Activity Waste Vitrification Facility, the Balance of Facilities, and the Analytical Laboratory covered by the contract described in subsection (b) meet the requirements of all applicable regulations and orders of the Department of Energy as required by the contract.

''(d) REPORT REQUIRED.—

''(1) IN GENERAL.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2016, and annually thereafter, the Secretary of Energy shall submit to the congressional defense committees a report on the assistance provided by the owner's representative to the Department of Energy under subsection (a) with respect to the contract described in subsection (b).

''(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

''(A) An identification of any instance of the contractor not meeting the requirements of the applicable regulations or orders of the Department of Energy as required by the contract described in subsection (b) and the plan for and status of correcting any such instance.

''(B) Information on the status of and the plan for resolving significant unresolved technical issues at the Low-Activity Waste Vitrification Facility, the Balance of Facilities, and the Analytical Laboratory.

''(e) DEFINITIONS.—In this section:

''(1) The term 'contractor' means Bechtel National, Inc. or its successor.

''(2) The terms 'preliminary documented safety analysis' has the meaning given that term in section 830.3 of title 10, Code of Federal Regulations (or any corresponding similar ruling or regulation).

''(3) The term 'owner's representative' means a third-party entity with expertise in nuclear design, construction, commissioning, and safety management and without any contractual relationship with the contractor.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4445 the following new item:

''Sec. 4446. Hanford Waste Treatment and Immobilization Plant contract oversight.''.

SA 1955. Mr. BROWN (for himself and Mr. BLUNT) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and

for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VII, add the following:

SEC. 721. PILOT PROGRAM ON INTEGRATION OF CERTAIN NON-MEDICAL REPORTS AND RECORDS INTO THE MEDICAL RECORD OF MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of Veterans Affairs, shall commence the conduct of a pilot program to assess the feasibility and advisability of integrating into the medical record of a member of the Armed Forces non-medical reports and records of the Department of Defense relating to the member that are relevant to the medical condition of the member.

(b) PARTICIPATION IN PILOT PROGRAM.—

(1) UNIT BASIS.—Members of the Armed Forces shall participate in the pilot program on a unit basis.

(2) PARTICIPATION BY EACH ARMED FORCE.—The units participating in the pilot program shall include not less than one unit of the regular component, and of each reserve component, of each Armed Force selected by the Secretary of Defense for purposes of the pilot program.

(c) REPORTS AND RECORDS USED.—The non-medical reports and records to be integrated by the Secretary under the pilot program shall include the following:

(1) Unit combat action or significant action reports.

(2) Reports or records relating to accident, injury, or mortality investigations.

(3) Reports or records relating to sexual assault investigations conducted by military criminal investigation services.

(4) Such other reports or records as the Secretary of Defense and the Secretary of Veterans Affairs jointly consider appropriate for purposes of the pilot program.

(d) EXCEPTION.—If the Secretary of Defense determines that carrying out the pilot program with respect to a particular unit is no longer feasible or advisable because of the operational necessity of the Department of Defense or because it would create an unreasonable burden on the Department, the Secretary—

(1) shall notify the appropriate committees of Congress; and

(2) may, not earlier than 30 days after such notification, terminate carrying out the pilot program with respect to such unit.

(e) PROTECTION OF CERTAIN INFORMATION.—The Secretary of Defense, in coordination with the Secretary of Veterans Affairs, shall ensure that any sensitive, classified, or personally identifiable information included in a report or record integrated by the Secretary of Defense under the pilot program is protected from disclosure in accordance with all laws applicable to such information.

(f) TERMINATION.—The pilot program shall terminate on the date that is one year after the commencement of the pilot program under subsection (a).

(g) REPORTS.—

(1) INITIAL REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on—

(A) the units selected for participation in the pilot program;

(B) the guidance provided to such units in carrying out the pilot program; and

(C) the methods to be used by the Secretary of Defense in carrying out the pilot program.

(2) FINAL REPORT.—

(A) IN GENERAL.—Not later than 180 days after the termination of the pilot program under subsection (f), the Secretary of Defense and the Secretary of Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on the pilot program.

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:

(i) An assessment of the feasibility and advisability of integrating into the medical record of a member of the Armed Forces non-medical reports and records of the Department of Defense relating to the member that are relevant to the medical condition of the member.

(ii) The number and types of non-medical reports and records that were integrated into the medical records of members of the Armed Forces under the pilot program.

(iii) A summary of the activities of the units during the period in which the pilot program was carried out.

(iv) Such other information and metrics relating to the pilot program as the Secretary of Defense and the Secretary of Veterans Affairs jointly consider appropriate.

(h) FUNDING.—Such sums as may be necessary to carry out the pilot program shall be derived from amounts appropriated to the Department of Defense for purposes of honoring members of the Armed Forces at sporting events.

(i) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(2) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

SA 1956. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title XI, add the following:

SEC. 1116. PERSONNEL APPOINTMENT AUTHORITY.

(a) IN GENERAL.—Section 306 of the Homeland Security Act of 2002 (6 U.S.C. 186) is amended by adding at the end the following:

''(e) PERSONNEL APPOINTMENT AUTHORITY.—

''(1) IN GENERAL.—In appointing employees to positions in the Directorate of Science and Technology, the Secretary shall have the hiring and management authorities described in section 1101 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (5 U.S.C. 3104 note; Public Law 105–261) (referred to in this subsection as 'section 1101').

''(2) TERM OF APPOINTMENTS.—The term of appointments for employees under subsection (c)(1) of section 1101 may not exceed 5 years before the granting of any extension under subsection (c)(2) of that section.

''(3) TERMINATION.—The authority under this subsection shall terminate on the date on which the authority to carry out the program under section 1101 terminates under section 1101(e)(1).''.

(b) CONFORMING AMENDMENTS.—Section 307(b) of the Homeland Security Act of 2002 (6 U.S.C. 187(b)) is amended by—

(1) striking paragraph (6); and

(2) redesignating paragraph (7) as paragraph (6).

(c) RULE OF CONSTRUCTION.—Nothing in the amendments made by this section shall be construed to limit the authority granted under paragraph (6) of section 307(b) of the Homeland Security Act of 2002 (6 U.S.C. 187(b)), as in effect on the day before the date of enactment of this Act.

SA 1957. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 712, line 24, strike ''Act,'' and all that follows ''Security,'' on page 713, line 1, and insert ''Act, consistent with section 227 of the Homeland Security Act of 2002 (6 U.S.C. 149), the Secretary of Homeland Security and the Secretary of Defense shall, in coordination with''.

On page 713, line 12, insert ''of Defense'' after ''Secretary''.

On page 714, line 13, insert ''of Homeland Security and the Secretary of Defense'' after ''Secretary''.

On page 714, line 19, strike ''Department of Defense'' and insert ''United States''.

On page 714, line 23, insert ''full spectrum of cyber defense and mitigation capabilities available to the Federal Government, including the'' before ''National''.

On page 715, line 6, insert ''of Homeland Security and the Secretary of Defense'' after ''Secretary''.

On page 715, lines 7 and 8, strike ''is required to coordinate under subsection (a)'' and insert ''of Homeland Security and the Secretary of Defense are required to coordinate under subsection (a) to leverage existing National Cyber Exercise programs, such as the Department of Homeland Security Biennial Cyber Storm Program and''.

SA 1958. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 738. SENSE OF CONGRESS ON USE BY DEPARTMENT OF DEFENSE OF PEER-TO-PEER SUPPORT NETWORKS.

It is the sense of Congress that the Department of Defense should use peer-to-peer support networks that are staffed 24 hours per day and seven days per week by veterans to provide counseling in a confidential environment to active duty members of the Armed Forces and veterans.

SA 1959. Mr. CORNYN submitted an amendment intended to be proposed to

amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. DESIGNATION OF MEDICAL CENTER OF DEPARTMENT OF VETERANS AFFAIRS IN HARLINGEN, TEXAS, AND INCLUSION OF INPATIENT HEALTH CARE FACILITY AT SUCH MEDICAL CENTER.

(a) FINDINGS.—Congress makes the following findings:

(1) The current and future health care needs of veterans residing in South Texas are not being fully met by the Department of Veterans Affairs.

(2) According to recent census data, more than 108,000 veterans reside in South Texas.

(3) Travel times for veterans from the Valley Coastal Bend area from their homes to the nearest hospital of the Department for acute inpatient health care can exceed six hours.

(4) Even with the significant travel times, veterans from South Texas demonstrate a high demand for health care services from the Department.

(5) Ongoing overseas deployments of members of the Armed Forces from Texas, including members of the Armed Forces on active duty, members of the Texas National Guard, and members of the other reserve components of the Armed Forces, will continue to increase demand for medical services provided by the Department in South Texas.

(6) The Department employs an annual Strategic Capital Investment Planning process to ''enable the VA to continually adapt to changes in demographics, medical and information technology, and health care delivery'', which results in the development of a multi-year investment plan that determines where gaps in services exist or are projected and develops an appropriate solution to meet those gaps.

(7) According to the Department, final approval of the Strategic Capital Investment Planning priority list serves as the ''building block'' of the annual budget request for the Department.

(8) Arturo ''Treto'' Garza, a veteran who served in the Marine Corps, rose to the rank of Sergeant, and served two tours in the Vietnam War, passed away on October 3, 2012.

(9) Treto Garza, who was also a former co-chairman of the Veterans Alliance of the Rio Grande Valley, tirelessly fought to improve health care services for veterans in the Rio Grande Valley, with his efforts successfully leading to the creation of the medical center of the Department located in Harlingen, Texas.

(b) REDESIGNATION OF MEDICAL CENTER IN HARLINGEN, TEXAS.—

(1) IN GENERAL.—The medical center of the Department of Veterans Affairs located in Harlingen, Texas, shall after the date of the enactment of this Act be known and designated as the ''Treto Garza South Texas Department of Veterans Affairs Health Care Center''.

(2) REFERENCES.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the medical center of the Department referred to in paragraph (1) shall be deemed to be a reference to the Treto Garza South Texas Department of Veterans Affairs Health Care Center.

(c) REQUIREMENT OF FULL-SERVICE INPATIENT FACILITY.—

(1) IN GENERAL.—The Secretary of Veterans Affairs shall ensure that the Treto Garza South Texas Department of Veterans Affairs Health Care Center, as designated under subsection (b), includes a full-service inpatient health care facility of the Department and shall modify the existing facility as necessary to meet that requirement.

(2) PLAN TO EXPAND FACILITY CAPABILITIES.—The Secretary shall include in the annual Strategic Capital Investment Plan of the Department for fiscal year 2016 a project to expand the capabilities of the Treto Garza South Texas Department of Veterans Affairs Health Care Center, as so designated, by adding the following:

(A) Inpatient capability for 50 beds with appropriate administrative, clinical, diagnostic, and ancillary services needed for support.

(B) An urgent care center.

(C) The capability to provide a full range of services to meet the health care needs of women veterans.

(d) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report detailing a plan to implement the requirements in subsection (c), including an estimate of the cost of required actions and the time necessary for the completion of those actions.

(e) SOUTH TEXAS DEFINED.—In this section, the term ''South Texas'' means the following counties in Texas: Aransas, Bee, Brooks, Calhoun, Cameron, DeWitt, Dimmit, Duval, Goliad, Hidalgo, Jackson, Jim Hogg, Jim Wells, Kenedy, Kleberg, Nueces, Refugio, San Patricio, Starr, Victoria, Webb, Willacy, Zapata.

SA 1960. Ms. AYOTTE (for herself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

SEC. 832. PREFERENCE FOR FIRM FIXED PRICE CONTRACTS FOR FOREIGN MILITARY SALES.

(a) ESTABLISHMENT OF PREFERENCE.—Not later than 180 days after the date of the enactment of this Act, the Defense Federal Acquisition Regulation Supplement shall be revised to establish a preference for firm fixed price contracts for foreign military sales.

(b) WAIVER AUTHORITY.—The preference established pursuant to subsection (a) shall include a waiver that may be exercised by the military service's acquisition executive responsible or the Under Secretary of Defense for Acquisition, Technology, and Logistics if such official or the Under Secretary certifies that a different contract type is more appropriate and in the best interest of the United States.

SA 1961. Ms. AYOTTE (for herself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. DEPARTMENT OF HOMELAND SECURITY PROCUREMENTS INVOLVING SMALL PURCHASES.

Subsection (f) of section 604b of the American Recovery and Investment Act of 2009 (6 U.S.C. 453b) is amended to read as follows:

''(f) EXCEPTION FOR CERTAIN PURCHASES.—Subsection (a) does not apply to purchases for amounts not greater than $150,000.''.

SA 1962. Ms. AYOTTE (for herself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title VIII, add the following:

SEC. 832. PROCUREMENTS INVOLVING SMALL PURCHASES.

(a) PROCUREMENTS OF CERTAIN ARTICLES.—Subsection (h) of section 2533a of title 10, United States Code, is amended to read as follows:

''(h) EXCEPTION FOR CERTAIN PURCHASES.—Subsection (a) does not apply to purchases for amounts not greater than $150,000.''.

(b) PROCUREMENTS OF STRATEGIC MATERIALS.—Subsection (f) of section 2533b of title 10, United States Code, is amended to read as follows:

''(f) EXCEPTION FOR CERTAIN PURCHASES.—Subsection (a) does not apply to purchases for amounts not greater than $150,000.''.

SA 1963. Mr. FLAKE (for himself, Mr. MCCAIN, and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XVI, add the following:

SEC. 1614. REPORT ON FEASIBILITY, COSTS, AND COST SAVINGS OF ALLOWING FOR COMMERCIAL APPLICATIONS OF EXCESS BALLISTIC MISSILE SOLID ROCKET MOTORS.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate congressional committees a report assessing—

(1) the feasibility of permitting excess ballistic missile solid rocket motors, including

excess ballistic missile solid rocket motors from the Minotaur launch vehicle, to be made available for commercial applications;

(2) the costs of, and the cost savings anticipated to result from, making such motors available for commercial applications;

(3) the effects of making such motors available for commercial applications on programs of the Department of Defense; and

(4) any implications of making such motors available for commercial applications for the international obligations of the United States.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

SA 1964. Mr. BROWN (for himself and Mr. TILLIS) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. PRIORITY ENROLLMENT FOR VETERANS IN CERTAIN COURSES OF EDUCATION.

(a) PRIORITY ENROLLMENT.—

(1) IN GENERAL.—Chapter 36 of title 38, United States Code, is amended by inserting after section 3680A the following new section:

''§ 3680B. Priority enrollment in certain courses

''(a) IN GENERAL.—Notwithstanding section 3672(b)(2)(A) of this title or any other provision of law, with respect to an educational assistance program provided for in chapter 30, 31, 32, 33, or 35 of this title or chapter 1606 or 1607 of title 10, if an educational institution administers a priority enrollment system that allows certain students to enroll in courses earlier than other students, the Secretary or a State approving agency may not approve a program of education offered by such institution unless such institution allows a covered individual to enroll in courses at the earliest possible time pursuant to such priority enrollment system.

''(b) COVERED INDIVIDUAL DEFINED.—In this section, the term 'covered individual' means an individual using educational assistance under chapter 30, 31, 32, 33, or 35 of this title or chapter 1606 or 1607 of title 10, including—

''(1) a veteran;

''(2) a member of the Armed Forces serving on active duty or a member of a reserve component (including the National Guard);

''(3) a dependent to whom such assistance has been transferred pursuant to section 3319 of this title; and

''(4) any other individual using such assistance.

''(c) DISAPPROVAL.—An educational institution described in subsection (a) that has a program of education approved for purposes of this chapter and fails to meet the requirements of such subsection shall be immediately disapproved by the Secretary or the appropriate State approving agency in accordance with section 3679 of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 3680A the following new item:

''3680B. Priority enrollment in certain courses.''.

(b) EFFECTIVE DATE.—Section 3680B of such title, as added by subsection (a)(1), shall take effect on August 1, 2017.

SA 1965. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. ASSIGNMENT OF CERTAIN NEW REQUIREMENTS BASED ON DETERMINATIONS OF COST-EFFICIENCY.

(a) AMENDMENT.—Chapter 146 of title 10, United States Code, is amended by inserting after section 2463 the following new section:

''§ 2463a. Assignment of certain new requirements based on determinations of cost-efficiency

''(a) ASSIGNMENTS BASED ON DETERMINATIONS OF COST-EFFICIENCY.—(1) Except as provided in paragraph (2) and subject to subsection (b), the assignment of performance of a new requirement by the Department of Defense to members of the armed forces, civilian employees, or contractors shall be based on a determination of which sector of the Department's workforce can perform the new requirement in the most cost-efficient manner, based on an analysis of the costs to the Federal Government in accordance with Department of Defense Instruction 7041.04 (''Estimating and Comparing the Full Costs of Civilian and Active Duty Military Manpower and Contract Support'') or successor guidance, consistent with the needs of the Department with respect to factors other than cost, including quality, reliability, and timeliness.

''(2) Paragraph (1) shall not apply in the case of a new requirement that is inherently governmental, closely associated with inherently governmental functions, critical, or required by law to be performed by members of the armed forces or Department of Defense civilian employees.

''(3) Nothing in this section may be construed as affecting the requirements of the Department of Defense under policies and procedures established by the Secretary of Defense under section 129a of this title for determining the most appropriate and cost-efficient mix of military, civilian, and contractor personnel to perform the mission of the Department of Defense.

''(b) WAIVER DURING AN EMERGENCY OR EXIGENT CIRCUMSTANCES.—The head of an agency may waive subsection (a) for a specific new requirement in the event of an emergency or exigent circumstances, as long as the head of an agency, within 60 days of exercising the waiver, submits to the Committees on Armed Services of the Senate and the House of Representatives notice of the specific new requirement involved, where such new requirement is being performed, and the date on which it would be practical to subject such new requirement to the requirements of subsection (a).

''(c) PROVISIONS RELATING TO ASSIGNMENT OF CIVILIAN PERSONNEL.—If a new requirement is assigned to a Department of Defense civilian employee consistent with the requirements of this section—

''(1) the Secretary of Defense may not—

''(A) impose any constraint or limitation on the size of the civilian workforce in terms of man years, end strength, full-time equivalent positions, or maximum number of employees; or

''(B) require offsetting funding for civilian pay or benefits or require a reduction in civilian full-time equivalents or civilian end-strengths; and

''(2) the Secretary may assign performance of such requirement without regard to whether the employee is a temporary, term, or permanent employee.

''(d) NEW REQUIREMENT DESCRIBED.—For purposes of this section, a new requirement is an activity or function that is not being performed, as of the date of consideration for assignment of performance under this section, by military personnel, civilian personnel, or contractor personnel at a Department of Defense component, organization, installation, or other entity. For purposes of the preceding sentence, an activity or function that is performed at such an entity and that is re-engineered, reorganized, modernized, upgraded, expanded, or changed to become more efficient but is still essentially providing the same service shall not be considered a new requirement.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2463 the following new item:

''2463a. Assignment of certain new requirements based on determinations of cost-efficiency.''.

SA 1966. Ms. STABENOW submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 738. COMPTROLLER GENERAL REPORT ON CARE FOR ALZHEIMER'S DISEASE AND RELATED DEMENTIAS UNDER TRICARE PROGRAM.

(a) SENSE OF CONGRESS.—

(1) FINDINGS.—Congress makes the following findings:

(A) Alzheimer's disease is a progressive and ultimately fatal neurodegenerative disease with no known cure and is the sixth leading cause of death in the United States.

(B) Only 45 percent of people with Alzheimer's disease or their caregivers report ever being told of the diagnosis.

(C) Accumulating evidence suggests a strong link between head injury and future risk of Alzheimer's disease.

(D) During the years of conflict in Iraq and Afghanistan, the Defense and Veterans Brain Injury Center reports 327,299 documented cases of traumatic brain injury among active duty members of the Armed Forces.

(E) Care planning can improve health outcomes for both the diagnosed individual and caregivers of those individuals.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) covered beneficiaries diagnosed with Alzheimer's disease or a related dementia and their families should have access to a

comprehensive care planning session from the Department of Defense;

(B) the Secretary of Defense should take appropriate action to provide eligible individuals with a care planning session with respect to diagnosis of Alzheimer's disease or a related dementia; and

(C) the care planning session should include, at minimum, a comprehensive care plan, information on the diagnosis and treatment options, and information on relevant medical and community services.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on care planning services for Alzheimer's disease and related dementias for all members of the Armed Forces and covered beneficiaries.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description and assessment of care planning services for Alzheimer's disease and related dementias currently provided for members of the Armed Forces and covered beneficiaries, including access to care, scope of available care, availability of specialty care, and use of care planning sessions with beneficiaries and caregivers.

(B) An assessment of the incidence and prevalence of Alzheimer's disease and related dementias during the five-year period preceding the submittal of the report for members of the Armed Forces and covered beneficiaries.

(C) A description of how the Department of Defense would implement a service for members of the Armed Forces and covered beneficiaries who are diagnosed with Alzheimer's disease or a related dementia that provides a one-time care planning session to a beneficiary and caregivers of the beneficiary to design a comprehensive care plan that includes information about the diagnosis, medical and non-medical options for ongoing treatment, and available services and support.

(c) COVERED BENEFICIARIES DEFINED.—In this section, the term ''covered beneficiaries'' has the meaning given that term in section 1072(5) of title 10, United States Code.

SA 1967. Mr. CASEY (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title IX, add the following:

SEC. 904. GUIDELINES FOR CONVERSION OF FUNCTIONS PERFORMED BY CIVILIAN OR CONTRACTOR PERSONNEL TO PERFORMANCE BY MILITARY PERSONNEL.

Section 129a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) GUIDELINES FOR PERFORMANCE OF CERTAIN FUNCTIONS BY MILITARY PERSONNEL.—(1) Except as provided in paragraph (2), no functions performed by civilian personnel or contractors may be converted to performance by military personnel unless—

''(A) there is a direct link between the functions to be performed and a military occupational specialty; and

''(B) the conversion to performance by military personnel is cost effective, based on Department of Defense instruction 7041.04 (or any successor administrative regulation, directive, or policy).

''(2) Paragraph (1) shall not apply to the following functions:

''(A) Functions required by law or regulation to be performed by military personnel.

''(B) Functions related to—

''(i) missions involving operation risks and combatant status under the law of war;

''(ii) specialized collective and individual training requiring military-unique knowledge and skills based on recent operational experience;

''(iii) independent advice to senior civilian leadership in the Department of Defense requiring military-unique knowledge and skills based on recent operational experience; and

''(iv) command and control arrangements under chapter 47 of this title (the Uniform Code of Military Justice).

''(3) A function being performed by civilian personnel or contractors may not be—

''(A) modified, reorganized, divided, expanded, or in any way changed for the purpose of exempting a conversion of the function from the requirements of this subsection; or

''(B) converted to performance by military personnel because of a civilian personnel ceiling.

''(4) A conversion of performance is covered by this subsection only if the conversion changes performance of a function designated for performance by civilian personnel or contractors to performance by military personnel for a period in excess of 30 days.

''(5) The requirements of this subsection may be waived by the head of an agency for a specific function in the event of an emergency or exigent circumstances if theH ead of the agency notifies the Committees on Armed Services of the Senate and the House of Representatives that the specific function designated for performance by civilian personnel or contractors will instead be performed by military personnel because of an emergency or exigent circumstances. The period of any waiver under this paragraph with respect to a specific function may not exceed 90 days.''.

SA 1968. Mr. CORKER submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

On page 597, between lines 18 and 19, insert the following:

(b) NOTICE TO CONGRESS ON CERTAIN ASSISTANCE.—Section 1204(e) of such Act is amended by striking ''the congressional defense committees'' and inserting ''the appropriate committees of Congress specified in subsection (g)(2)''.

On page 600, line 6, strike ''in coordination with the Secretary of State'' and insert ''with the concurrence of the Secretary of State''.

On page 600, beginning on line 21, strike ''the congressional defense committees'' and insert ''the appropriate committees of Congress''.

On page 601, line 20, strike ''the congressional defense committees'' and insert ''the appropriate committees of Congress''.

On page 602, between lines 11 and 12, insert the following:

(3) An assessment by the Department of State of the impact of such support on internal security and stability in the countries provided support.

On page 602, strike lines 12 through 15 and insert the following:

(e) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

(2) The term ''logistic support, supplies, and services'' has the meaning given that term in section 2350(1) of title 10, United States Code.

On page 606, line 15, insert ''the Secretary of State and'' before ''the Director of National Intelligence''.

On page 606, beginning on line 21, strike ''the congressional defense committees'' and insert ''the appropriate committees of Congress''.

On page 607, between lines 7 and 8, insert the following:

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

On page 607, beginning on line 12, strike ''the congressional defense committees'' and insert ''the appropriate committees of Congress''.

On page 608, after line 22, add the following:

(e) CONCURRENCE OF SECRETARY OF STATE REQUIRED IN USE OF AUTHORITY.—Subsections (a) and (b)(1) of section 1209 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 are each amended by striking ''in coordination with the Secretary of State'' and inserting ''with the concurrence of the Secretary of State''.

(f) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

On page 621, after line 22, add the following:

(e) CONCURRENCE OF SECRETARY OF STATE REQUIRED IN USE OF AUTHORITY.—Subsections (a) and (b)(1) of section 1236 of such Act (128 Stat. 3558) are each amended by striking ''in coordination with the Secretary of State'' and inserting ''with the concurrence of the Secretary of State''.

On page 625, beginning on line 19, strike ''the Committee on Armed Services'' and all that follows through ''of the House of Representatives'' on line 22 and insert ''the Committee on Armed Services, the Committee on

the Judiciary, and the Committee on Foreign Relations of the Senate and the Committee on Armed Services, the Committee on the Judiciary, and the Committee on Foreign Affairs of the House of Representatives''.

On page 626, beginning 16, strike ''the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives'' and insert ''the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives''.

On page 634, line 21, strike ''in coordination with the Secretary of State'' and insert ''with the concurrence of the Secretary of State''.

On page 640, beginning on line 19, strike ''the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives'' and insert ''the appropriate committees of Congress''.

On page 641, strike ines 4 through 11, and insert the following:

(g) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

(2) The term ''incremental expenses'' means the reasonable and proper cost of the goods and services that are consumed by a country as a direct result of that country's participation in training under the authority of this section, including rations, fuel, training ammunition, and transportation. Such term does not include pay, allowances, and other normal costs of a country's personnel.

On page 642, beginning on line 25, strike ''in consultation with the Secretary of State'' and insert ''with the concurrence of the Secretary of State''.

On page 643, beginning on line 1, strike ''the congressional defense committees'' and insert ''the appropriate committees of Congress''.

On page 644, between lines 13 and 14, insert the following:

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

On page 652, line 20, insert after ''the Secretary of Defense'' the following: '', with the concurrence of the Secretary of State,''.

On page 654, line 12, strike ''the congressional defense committees'' and insert ''the appropriate committees of Congress''.

On page 655, between lines 14 and 15, insert the following:

(h) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

On page 661, beginning on line 24, strike ''in consultation with the Secretary of State'' and insert ''with the concurrence of the Secretary of State''.

On page 663, beginning on line 11, strike ''in consultation with the Secretary of State'' and insert ''with the concurrence of the Secretary of State''.

On page 677 between lines 2 and 3, insert the following:

(c) INCLUSION OF FOREIGN RELATIONS COMMITTEES IN REPORTS.—Section 1513 of the National Defense Authorization Act for Fiscal Year 2008 is amended—

(1) in subsections (e) and (g), by striking ''the congressional defense committees'' and insert ''the appropriate committees of Congress'';

(2) by redesignating subsection (h) as subsection (i); and

(3) by inserting after subsection (g) the following new subsection (h):

''(h) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term 'appropriate committees of Congress' means—

''(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

''(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.''.

On page 682, beginning on line 8, strike ''the Committees on Armed Services of the Senate and the House of Representatives'' and insert ''the appropriate committees of Congress''.

On page 682, beginning on line 16, strike ''the Committees on Armed Services of the Senate and the House of Representatives'' and insert ''the appropriate committees of Congress''.

On page 683, between lines 3 and 4, insert the following:

(4) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 1969. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PRESERVING THE INTEGRITY OF THE EARNED INCOME TAX CREDIT.

(a) IN GENERAL.—Paragraph (1) of section 32(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

''(G) PROHIBITION ON PROVISION OF CREDIT TO CERTAIN IMMIGRANTS.—

''(i) IN GENERAL.—In the case of any alien not described in clause (ii), no credit shall be allowed under this section for any taxable year.

''(ii) AUTHORIZED ALIENS.—An alien is described in this clause if such alien—

''(I) is lawfully admitted for permanent residence,

''(II) otherwise has lawful status and is authorized to be employed in the United States pursuant to an affirmative grant of such authority under the immigration laws, or

''(III) is otherwise lawfully present in the United States, but only if such lawful presence is based on an affirmative grant of withholding of removal pursuant to section 214(b)(3) of the Immigration and Nationality Act (8 U.S.C. 1231(b)(3)) or an affirmative grant of withholding or deferral of removal pursuant to Article 3 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, done at New York December 10, 1984.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2014.

SA 1970. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle ____—PROTECTION OF CHILDREN

SEC. ___1. SHORT TITLE.

This subtitle may be cited as the ''Protection of Children Act of 2015''.

SEC. ___2. REPATRIATION OF UNACCOMPANIED ALIEN CHILDREN.

(a) IN GENERAL.—Section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by amending the heading to read as follows: ''RULES FOR UNACCOMPANIED ALIEN CHILDREN.'';

(ii) in subparagraph (A);

(I) in the matter preceding clause (i), by striking ''who is a national or habitual resident of a country that is contiguous with the United States'';

(II) in clause (i), by inserting ''and'' at the end;

(III) in clause (ii), by striking ''; and'' and inserting a period; and

(IV) by striking clause (iii);

(iii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking ''(8 U.S.C. 1101 et seq.) may—'' and inserting ''(8 U.S.C. 1101 et seq.)—'';

(II) in clause (i), by inserting before ''permit such child to withdraw'' the following: ''may''; and

(III) in clause (ii), by inserting before ''return such child'' the following: ''shall''; and

(iv) in subparagraph (C)—

(I) by amending the heading to read as follows: ''AGREEMENTS WITH FOREIGN COUNTRIES.''; and

(II) in the matter preceding clause (i), by striking ''The Secretary of State shall negotiate agreements between the United States and countries contiguous to the United States'' and inserting ''The Secretary of State may negotiate agreements between the United States and any foreign country that the Secretary determines appropriate''; and

(B) in paragraph (5)(D)—

(i) in the matter preceding clause (i), by striking '', except for an unaccompanied alien child from a contiguous country subject to the exceptions under subsection (a)(2),'' and inserting ''who does not meet the criteria listed in paragraph (2)(A)''; and

(ii) in clause (i), by inserting before the semicolon at the end the following: '', which

shall include a hearing before an immigration judge not later than 14 days after being screened under paragraph (4)'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) in subparagraph (A), by inserting before the semicolon the following: ''believed not to meet the criteria listed in subsection (a)(2)(A)''; and

(ii) in subparagraph (B), by inserting before the period the following: ''and does not meet the criteria listed in subsection (a)(2)(A)''; and

(B) in paragraph (3), by striking ''an unaccompanied alien child in custody shall'' and all that follows, and inserting the following: ''an unaccompanied alien child in custody—

''(A) in the case of a child who does not meet the criteria listed in subsection (a)(2)(A), shall transfer the custody of such child to the Secretary of Health and Human Services not later than 30 days after determining that such child is an unaccompanied alien child who does not meet such criteria; or

''(B) in the case of child who meets the criteria listed in subsection (a)(2)(A), may transfer the custody of such child to the Secretary of Health and Human Services after determining that such child is an unaccompanied alien child who meets such criteria.''; and

(3) in subsection (c)—

(A) in paragraph (3), by inserting at the end the following:

''(D) INFORMATION ABOUT INDIVIDUALS WITH WHOM CHILDREN ARE PLACED.—

''(i) INFORMATION TO BE PROVIDED TO HOMELAND SECURITY.—Before placing a child with an individual, the Secretary of Health and Human Services shall provide to the Secretary of Homeland Security, regarding the individual with whom the child will be placed, the following information:

''(I) The name of the individual.

''(II) The social security number of the individual.

''(III) The date of birth of the individual.

''(IV) The location of the individual's residence where the child will be placed.

''(V) The immigration status of the individual, if known.

''(VI) Contact information for the individual.

''(ii) SPECIAL RULE.—In the case of a child who was apprehended on or after June 15, 2012, and before the date of the enactment of the Protection of Children Act of 2015, who the Secretary of Health and Human Services placed with an individual, the Secretary shall provide the information listed in clause (i) to the Secretary of Homeland Security not later than 90 days after the date of the enactment of the Protection of Children Act of 2015.

''(iii) ACTIVITIES OF THE SECRETARY OF HOMELAND SECURITY.—Not later than 30 days after receiving the information listed in clause (i), the Secretary of Homeland Security shall—

''(I) in the case that the immigration status of an individual with whom a child is placed is unknown, investigate the immigration status of that individual; and

''(II) upon determining that an individual with whom a child is placed is unlawfully present in the United States, initiate removal proceedings pursuant to chapter 4 of title II of the Immigration and Nationality Act (8 U.S.C. 1221 et seq.).''; and

(B) in paragraph (5)—

(i) by inserting after ''to the greatest extent practicable'' the following: ''(at no expense to the Government)''; and

(ii) by striking ''have counsel to represent them'' and inserting ''have access to counsel to represent them''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to any unauthorized alien child apprehended on or after June 15, 2012.

SEC. ___3. SPECIAL IMMIGRANT JUVENILE STATUS FOR IMMIGRANTS UNABLE TO REUNITE WITH EITHER PARENT.

Section 101(a)(27)(J)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)(i)) is amended by striking ''1 or both of the immigrant's parents'' and inserting ''either of the immigrant's parents''.

SEC. ___4. JURISDICTION OF ASYLUM APPLICATIONS.

Section 208(b)(3) of the Immigration and Nationality Act (8 U.S.C. 1158) is amended by striking subparagraph (C).

SA 1971. Mr. SESSIONS submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

Subtitle ___ Asylum Reform and Border Protection

SEC. ___1. SHORT TITLE.

This subtitle may be cited as the ''Asylum Reform and Border Protection Act of 2015''.

SEC. ___2. CLARIFICATION OF INTENT REGARDING TAXPAYER-PROVIDED COUNSEL.

Section 292 of the Immigration and Nationality Act (8 U.S.C. 1362) is amended—

(1) by striking ''(at no expense to the Government)''; and

(2) by adding at the end the following:

''Notwithstanding any other provision of law, in no instance shall the Government bear any expense for counsel for any person in removal proceedings or in any appeal proceedings before the Attorney General from any such removal proceedings.''.

SEC. ___3. SPECIAL IMMIGRANT JUVENILE VISAS.

Section 101(a)(27)(J)(i) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(J)(i)) is amended by striking ''and whose reunification with 1 or both of the immigrant's parents is not viable due'' and inserting ''and who cannot be reunified with either of the immigrant's parents due''.

SEC. ___4. CREDIBLE FEAR INTERVIEWS.

Section 235(b)(1)(B)(v) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(B)(v)) is amended by striking ''208.'' and inserting ''208, and it is more probable than not that the statements made by the alien in support of the alien's claim are true.''.

SEC. ___5. RECORDING EXPEDITED REMOVAL AND CREDIBLE FEAR INTERVIEWS.

(a) IN GENERAL.—The Secretary of Homeland Security shall establish quality assurance procedures and take steps to effectively ensure that questions by employees of the Department of Homeland Security exercising expedited removal authority under section 235(b) of the Immigration and Nationality Act (8 U.S.C. 1225(b)) are asked in a uniform manner, and that both these questions and the answers provided in response to them are recorded in a uniform fashion.

(b) FACTORS RELATING TO SWORN STATEMENTS.—Where practicable, any sworn or signed written statement taken of an alien as part of the record of a proceeding under section 235(b)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1225(b)(1)(A)) shall be accompanied by a recording of the interview which served as the basis for that sworn statement.

(c) INTERPRETERS.—The Secretary of Homeland Security shall ensure that a competent interpreter, not affiliated with the government of the country from which the alien may claim asylum, is used when the interviewing officer does not speak a language understood by the alien and there is no other Federal, State, or local government employee available who is able to interpret effectively, accurately, and impartially.

(d) RECORDINGS IN IMMIGRATION PROCEEDINGS.—Recordings of interviews of aliens subject to expedited removal shall be included in the record of proceeding and shall be considered as evidence in any further proceedings involving the alien.

(e) NO PRIVATE RIGHT OF ACTION.—Nothing in this section may be construed to create any right, benefit, trust, or responsibility, whether substantive or procedural, enforceable in law or equity by a party against the United States, its departments, agencies, instrumentalities, entities, officers, employees, or agents, or any person, nor does this section create any right of review in any administrative, judicial, or other proceeding.

SEC. ___6. PAROLE REFORM.

(a) IN GENERAL.—Section 212(d)(5) of the Immigration and Nationality Act (8 U.S.C. 1182(d)(5)) is amended to read as follows:

''(5) HUMANITARIAN AND PUBLIC INTEREST PAROLE.—

''(A) IN GENERAL.—Subject to the provisions of this paragraph and section 214(f)(2), the Secretary of Homeland Security, in the sole discretion of the Secretary of Homeland Security, may on a case-by-case basis parole an alien into the United States temporarily, under such conditions as the Secretary of Homeland Security may prescribe, only—

''(i) for an urgent humanitarian reason (as described under subparagraph (B)); or

''(ii) for a reason deemed strictly in the public interest (as described under subparagraph (C)).

''(B) HUMANITARIAN PAROLE.—The Secretary of Homeland Security may parole an alien based on an urgent humanitarian reason described in this subparagraph only if—

''(i) the alien has a medical emergency and the alien cannot obtain necessary treatment in the foreign state in which the alien is residing or the medical emergency is life-threatening and there is insufficient time for the alien to be admitted through the normal visa process;

''(ii) the alien is needed in the United States in order to donate an organ or other tissue for transplant into a close family member;

''(iii) the alien has a close family member in the United States whose death is imminent and the alien could not arrive in the United States in time to see such family member alive if the alien were to be admitted through the normal visa process;

''(iv) the alien is a lawful applicant for adjustment of status under section 245; or

''(v) the alien was lawfully granted status under section 208 or lawfully admitted under section 207.

''(C) PUBLIC INTEREST PAROLE.—The Secretary of Homeland Security may parole an alien based on a reason deemed strictly in the public interest described in this subparagraph only if the alien has assisted the United States Government in a matter, such as a criminal investigation, espionage, or other similar law enforcement activity, and either the alien's presence in the United States is required by the Government or the alien's life would be threatened if the alien were not permitted to come to the United States.

''(D) LIMITATION ON THE USE OF PAROLE AUTHORITY.—The Secretary of Homeland Security may not use the parole authority under this paragraph to permit to come to the United States aliens who have applied for and have been found to be ineligible for refugee status or any alien to whom the provisions of this paragraph do not apply.

''(E) PAROLE NOT AN ADMISSION.—Parole of an alien under this paragraph shall not be considered an admission of the alien into the United States. When the purposes of the parole of an alien have been served, as determined by the Secretary of Homeland Security, the alien shall immediately return or be returned to the custody from which the alien was paroled and the alien shall be considered for admission to the United States on the same basis as other similarly situated applicants for admission.

''(F) REPORT TO CONGRESS.—Not later than 90 days after the end of each fiscal year, the Secretary of Homeland Security shall submit a report to the Committees on the Judiciary of the House of Representatives and the Senate describing the number and categories of aliens paroled into the United States under this paragraph. Each such report shall contain information and data concerning the number and categories of aliens paroled, the duration of parole, and the current status of aliens paroled during the preceding fiscal year.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the first day of the first month beginning more than 60 days after the date of the enactment of this Act.

SEC. ___7. REPORT TO CONGRESS ON PAROLE PROCEDURES AND STANDARDIZATION OF PAROLE PROCEDURES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Attorney General and the Secretary of Homeland Security shall jointly conduct a review, and submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives regarding the effectiveness of parole and custody determination procedures applicable to aliens who have established a credible fear of persecution and are awaiting a final determination regarding their asylum claim by the immigration courts. The report shall include the following:

(1) An analysis of the rate at which release from detention (including release on parole) is granted to aliens who have established a credible fear of persecution and are awaiting a final determination regarding their asylum claim by the immigration courts throughout the United States, and any disparity that exists between locations or geographical areas, including explanation of the reasons for this disparity and what actions are being taken to have consistent and uniform application of the standards for granting parole.

(2) An analysis of the effect of the procedures and policies applied with respect to parole and custody determinations both by the Attorney General and the Secretary on the alien's pursuit of their asylum claim before an immigration court.

(3) An analysis of the effectiveness of the procedures and policies applied with respect to parole and custody determinations both by the Attorney General and the Secretary in securing the alien's presence at the immigration court proceedings.

(b) RECOMMENDATIONS.—The report submitted under subsection (a) should include—

(1) recommendations with respect to whether the existing parole and custody determination procedures applicable to aliens who have established a credible fear of persecution and are awaiting a final determination regarding their asylum claim by the immigration courts—

(A) respect the interests of aliens; and

(B) ensure the presence of the aliens at the immigration court proceedings; and

(2) an assessment on corresponding failure to appear rates, in absentia orders, and absconders.

SEC. ___8. UNACCOMPANIED ALIEN CHILD DEFINED.

Section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2)) is amended to read as follows:

''(2) the term 'unaccompanied alien child'—

''(A) means an alien who—

''(i) has no lawful immigration status in the United States;

''(ii) has not attained 18 years of age; and

''(iii) with respect to whom—

''(I) there is no parent or legal guardian in the United States;

''(II) no parent or legal guardian in the United States is available to provide care and physical custody; or

''(III) no sibling over 18 years of age, aunt, uncle, grandparent, or cousin over 18 years of age is available to provide care and physical custody; except that

''(B) such term shall cease to include an alien if at any time a parent, legal guardian, sibling over 18 years of age, aunt, uncle, grandparent, or cousin over 18 years of age of the alien is found in the United States and is available to provide care and physical custody (and the Secretary of Homeland Security and the Secretary of Health and Human Services shall revoke accordingly any prior designation of the alien under this paragraph).''.

SEC. ___9. MODIFICATIONS TO PREFERENTIAL AVAILABILITY FOR ASYLUM FOR UNACCOMPANIED ALIEN MINORS.

Section 208 of the Immigration and Nationality Act (8 U.S.C. 1158) is amended—

(1) by striking subsection (a)(2)(E); and

(2) by striking subsection (b)(3)(C).

SEC. ___10. NOTIFICATION AND TRANSFER OF CUSTODY REGARDING UNACCOMPANIED ALIEN MINORS.

Section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)) is amended—

(1) in paragraph (2), by striking ''48 hours'' and inserting ''7 days''; and

(2) in paragraph (3), by striking ''72 hours'' and inserting ''30 days''.

SEC. ___11. INFORMATION SHARING BETWEEN DEPARTMENT OF HEALTH AND HUMAN SERVICES AND DEPARTMENT OF HOMELAND SECURITY.

Section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)) is amended by adding at the end the following:

''(5) INFORMATION SHARING.—The Secretary of Health and Human Services shall share with the Secretary of Homeland Security any information requested on a child who has been determined to be an unaccompanied alien child and who is or has been in the custody of the Secretary of Health and Human Services, including the location of the child and any person to whom custody of the child has been transferred, for any legitimate law enforcement objective, including enforcement of the immigration laws.''.

SEC. ___12. SAFE THIRD COUNTRY.

Section 208(a)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1158(a)(2)(A)) is amended—

(1) by striking ''Attorney General'' and inserting ''Secretary of Homeland Security''; and

(2) by striking ''removed, pursuant to a bilateral or multilateral agreement, to'' and inserting ''removed to''.

SEC. ___13. ADDITIONAL IMMIGRATION JUDGES AND ICE PROSECUTORS.

(a) EXECUTIVE OFFICE FOR IMMIGRATION REVIEW.—Subject to the availability of appropriations, in each of fiscal years 2015 through 2017, the Attorney General shall increase by not less than 50 the number of positions for full-time immigration judges within the Executive Office for Immigration Review above the number of such positions for which funds were allotted for fiscal year 2014.

(b) IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICE OF THE PRINCIPAL LEGAL ADVISOR.—Subject to the availability of appropriations, in each of the fiscal years 2015 through 2017, the Secretary of Homeland Security shall increase by not less than 60 the number of positions for full-time trial attorneys within the Immigration and Customs Enforcement Office of the Principal Legal Advisor above the number of such positions for which funds were allotted for fiscal year 2014.

SEC. ___14. MINORS IN DEPARTMENT OF HEALTH AND HUMAN SERVICES CUSTODY.

Section 235(c)(2)(A) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(2)(A)) is amended by striking the last two sentences.

SEC. ___15. FOREIGN ASSISTANCE FOR REPATRIATION.

(a) SUSPENSION OF FOREIGN ASSISTANCE.—The Secretary of State shall immediately suspend all foreign assistance, including under United States Agency for International Development programs, the Central American Regional Security Initiative, or the International Narcotic Control Law Enforcement program, to any large sending country that—

(1) refuses to negotiate an agreement under section 235(a)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(2)); or

(2) refuses to accept from the United States repatriated unaccompanied alien children (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))) who are nationals or residents of the sending country.

(b) USE OF FOREIGN ASSISTANCE FOR REPATRIATION.—The Secretary of State shall provide any additional foreign assistance from the United States that such Secretary determines is needed to implement an agreement under section 235(a)(2) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(a)(2)) or safely to repatriate or reintegrate nationals or residents of a large sending country without increasing the total quantity of foreign assistance to such country. Such country may use any earlier foreign assistance for the purpose of repatriation or implementation of any agreement under such section 235(a)(2).

(c) DEFINITION OF LARGE SENDING PROGRAM.—In this section, the term ''large sending country'' means—

(1) any country which was the country of nationality or last habitual residence for 1,000 or more unaccompanied alien children (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))) who entered the United States in a single fiscal year in any of the prior 3 fiscal years; and

(2) any other country which the Secretary of Homeland Security deems appropriate.

(d) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act and shall apply with respect to any unaccompanied alien child (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))) apprehended on or after such date.

SEC. ___16. REPORTS.

(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, and annually thereafter, the Secretary of State and the Secretary of Health and Human Services, with assistance from the Secretary of Homeland Security, shall submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on efforts to improve repatriation programs for unaccompanied alien children (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))). Such reports shall include the following:

(1) The average time that such a child is detained after apprehension until removal.

(2) The number of such children detained improperly beyond the required time periods under paragraphs (2) and (3) of section 235(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(b)).

(3) A statement of the funds used to effectuate the repatriation of such children, including any funds that were reallocated from foreign assistance accounts as of the date of the enactment of this Act.

(b) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act and shall apply with respect to any unaccompanied alien child (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g))) apprehended on or after such date.

SEC. ___17. WITHHOLDING OF REMOVAL.

(a) IN GENERAL.—Section 241(b)(3) of the Immigration and Nationality Act (8 U.S.C. 1231(b)(3)) is amended—

(1) by adding at the end of subparagraph (A) the following:

''The burden of proof shall be on the alien to establish that the alien's life or freedom would be threatened in that country, and that race, religion, nationality, membership in a particular social group, or political opinion would be at least one central reason for such threat.'';''; and

(2) in subparagraph (C), by striking ''In determining whether an alien has demonstrated that the alien's life or freedom would be threatened for a reason described in subparagraph (A),'' and inserting ''For purposes of this paragraph,''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if enacted on May 11, 2005, and shall apply to applications for withholding of removal made on or after such date.

SEC. ___18. GROSS VIOLATIONS OF HUMAN RIGHTS.

(a) INADMISSIBILITY OF CERTAIN ALIENS.—Section 212(a)(3)(E)(iii) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(E)(iii)) is amended to read as follows:

''(iii) COMMISSION OF ACTS OF TORTURE, EXTRAJUDICIAL KILLINGS, WAR CRIMES, OR WIDESPREAD OR SYSTEMATIC ATTACKS ON CIVILIANS.—Any alien who planned, ordered, assisted, aided and abetted, committed, or otherwise participated in, including through command responsibility and without regard to motivation or intent, the commission of—

''(I) any act of torture (as defined in section 2340 of title 18, United States Code);

''(II) any extrajudicial killing (as defined in section 3(a) of the Torture Victim Protection Act of 1991 (28 U.S.C. 1350 note)) under color of law of any foreign nation;

''(III) a war crime (as defined in section 2441 of title 18, United States Code); or

''(IV) a widespread or systematic attack directed against a civilian population, with knowledge of the attack, murder, extermination, enslavement, forcible transfer of population, arbitrary detention, rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity;

''(V) persecution on political racial, national, ethnic, cultural, religious, or gender grounds;

''(VI) enforced disappearance of persons; or

''(VII) other inhumane acts of a similar character intentionally causing great suffering or serious bodily or mental injury,

is inadmissible.''.

(b) NONAPPLICABILITY OF CONFIDENTIALITY REQUIREMENT WITH RESPECT TO VISA RECORDS.—The President may make public, without regard to the requirements under section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)), with respect to confidentiality of records pertaining to the issuance or refusal of visas or permits to enter the United States, the names of aliens deemed inadmissible on the basis of section 212(a)(3)(E)(iii) of the Immigration and Nationality Act, as amended by subsection (a).

SEC. ___19. FIRM RESETTLEMENT.

Section 208(b)(2)(A)(vi) of the Immigration and Nationality Act (8 U.S.C. 1158(b)(2)(A)(vi)) is amended by striking ''States.'' and inserting ''States, which shall be considered demonstrated by evidence that the alien can live in such country (in any legal status) without fear of persecution.''.

SEC. ___20. TERMINATION OF ASYLUM STATUS PURSUANT TO RETURN TO HOME COUNTRY.

(a) TERMINATION OF STATUS.—Except as provided in subsections (b) and (c), any alien who is granted asylum or refugee status under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), who, without a compelling reason as determined by the Secretary, subsequently returns to the country of such alien's nationality or, in the case of an alien having no nationality, returns to any country in which such alien last habitually resided, and who applied for such status because of persecution or a well-founded fear of persecution in that country on account of race, religion, nationality, membership in a particular social group, or political opinion, shall have his or her status terminated.

(b) WAIVER.—The Secretary has discretion to waive subsection (a) if it is established to the satisfaction of the Secretary that the alien had a compelling reason for the return. The waiver may be sought prior to departure from the United States or upon return.

(c) EXCEPTION FOR CERTAIN ALIENS FROM CUBA.—Subsection (a) shall not apply to an alien who is eligible for adjustment to that of an alien lawfully admitted for permanent residence pursuant to the Cuban Adjustment Act of 1966 (Public Law 89–732).

SEC. ___21. ASYLUM CASES FOR HOME SCHOOLERS.

(a) IN GENERAL.—Section 101(a)(42) (8 U.S.C. 1101(a)(42)) is amended by adding at the end the following: ''For purposes of determinations under this Act, a person who has been persecuted for failure or refusal to comply with any law or regulation that prevents the exercise of the individual right of that person to direct the upbringing and education of a child of that person (including any law or regulation preventing homeschooling), or for other resistance to such a law or regulation, shall be deemed to have been persecuted on account of membership in a particular social group, and a person who has a well founded fear that he or she will be subject to persecution for such failure, refusal, or resistance shall be deemed to have a well founded fear of persecution on account of membership in a particular social group.''.

(b) NUMERICAL LIMITATION.—Section 207(a) of the Immigration and Nationality Act (8 U.S.C. 1157(a)) is amended by adding at the end the following:

''(5) For any fiscal year, not more than 500 aliens may be admitted under this section, or granted asylum under section 208, pursuant to a determination under section 101(a)(42) that the alien is described in the final sentence of section 101(a)(42) (as added by section 21 of the Asylum Reform and Border Protection Act of 2015).''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to failure or refusal to comply with a law or regulation, or other resistance to a law or regulation, occurring before, on, or after such date.

(2) NUMERICAL LIMITATION.—The amendment made by subsection (b) shall take effect beginning on the first day of the first fiscal year beginning after the date of the enactment of this Act.

SEC. ___22. NOTICE CONCERNING FRIVOLOUS ASYLUM APPLICATIONS:.

(a) IN GENERAL.—Section 208(d)(4) of the Immigration and Nationality Act (8 U.S.C. 1158(d)(4)) is amended—

(1) in the matter preceding subparagraph (A), by inserting ''the Secretary of Homeland Security or'' before ''the Attorney General'';

(2) in subparagraph (A), by striking ''and of the consequences, under paragraph (6), of knowingly filing a frivolous application for asylum'';

(3) in subparagraph (B), by striking the period and inserting ''; and'';

(4) by adding at the end the following:

''(C) ensure that a written warning appears on the asylum application advising the alien of the consequences of filing a frivolous application.''; and

(5) by inserting after subparagraph (C) the following:

''The written warning referred to in subparagraph (C) shall serve as notice to the alien of the consequences of filing a frivolous application.''.

(b) CONFORMING AMENDMENT.—Section 208(d)(6) of the Immigration and Nationality Act (8 U.S.C. 1158(d)(6)) is amended by striking ''paragraph (4)(A)'' and inserting ''paragraph (4)(C)''.

SEC. ___23. TERMINATION OF ASYLUM STATUS.

Section 208(c) of the Immigration and Nationality Act (8 U.S.C. 1158(c)) is amended by adding at the end the following:

''(4) If an alien's asylum status is subject to termination under paragraph (2), the immigration judge shall first determine whether the conditions specified under paragraph (2) have been met, and if so, terminate the alien's asylum status before considering whether the alien is eligible for adjustment of status under section 209.''.

SA 1972. Mr. SESSIONS (for Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. CITIZENSHIP AT BIRTH FOR CERTAIN PERSONS BORN IN THE UNITED STATES.

(a) IN GENERAL.—Section 301 of the Immigration and Nationality Act (8 U.S.C. 1401) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''The following'';

(2) by redesignating subsections (a) through (h) as paragraphs (1) through (8), respectively, and indenting such paragraphs, as redesignated, an additional 2 ems to the right; and

(3) by adding at the end the following:

''(b) DEFINITION.—Acknowledging the right of birthright citizenship established by section 1 of the 14th Amendment to the Constitution of the United States, a person born in the United States shall be considered 'subject to the jurisdiction' of the United States for purposes of subsection (a)(1) only if the person is born in the United States and at least 1 of the person's parents is—

''(1) a citizen or national of the United States;

''(2) an alien lawfully admitted for permanent residence in the United States whose residence is in the United States; or

''(3) an alien performing active service in the armed forces (as defined in section 101 of title 10, United States Code).''.

(b) APPLICABILITY.—The amendment made by subsection (a)(3) may not be construed to affect the citizenship or nationality status of any person born before the date of the enactment of this Act.

(c) SEVERABILITY.—If any provision of this section or any amendment made by this section, or any application of such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of the provisions of this Act and the amendments made by this Act and the application of the provision or amendment to any other person or circumstance shall not be affected.

SA 1973. Mr. SESSIONS (for Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 1463 proposed by Mr. MCCAIN to the bill H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title V, add the following:

SEC. 524. REPEAL OF DISCRETIONARY AUTHORITY TO AUTHORIZE CERTAIN ENLISTMENTS IN THE ARMED FORCES.

Section 504(b) of title 10, United States Code, is amended—

(1) by striking paragraph (2);

(2) by striking ''(1)''; and

(3) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ENZI. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on June 9, 2015, at 9:30 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. ENZI. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on June 9, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. ENZI. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on June 9, 2015, at 10:30 a.m. to conduct a hearing entitled ''Oversight of the Transportation Security Administration: First-Hand and Government Watchdog Accounts of Agency Challenges.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. ENZI. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on June 9, 2015.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. ENZI. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on June 9, 2015, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. NELSON. Mr. President, I ask unanimous consent that Shaun Easley, a Defense fellow serving on my staff, during consideration of the bill H.R. 1735, the Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WICKER. Mr. President, it is my privilege to ask unanimous consent that Capt. Matthew T. Reeder, a U.S. Marine Corps national security fellow in Senator AYOTTE's office, be granted floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I ask unanimous consent that Kathleen Perry, a fellow in my office, be granted the privileges of the floor during the consideration of H.R. 1735, the Defense authorization bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I ask unanimous consent that CDR Eddie Pilcher, the defense legislative fellow assigned to my office, be granted floor privileges for the remainder of the calendar year.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar No. 77; that the nomination be confirmed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nomination considered and confirmed is as follows:

IN THE ARMY

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., section 624:

To be major general

Brig. Gen. Anthony C. Funkhouser
Brig. Gen. Donald E. Jackson, Jr.
Brig. Gen. Kent D. Savre

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

COLLECTOR CAR APPRECIATION DAY

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 196, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The bill clerk read as follows:

A bill (S. Res. 196) designating July 10, 2015, as Collector Car Appreciation Day and recognizing that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 196) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

RECOGNIZING THE NEED TO IMPROVE PHYSICAL ACCESS TO MANY FEDERALLY FUNDED FACILITIES

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 197, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

A bill (S. Res. 197) recognizing the need to improve physical access to many federally funded facilities for all people of the United States, particularly people with disabilities.

There being no objection, the Senate proceeded to consider the resolution.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 197) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

GRASSROOTS RURAL AND SMALL COMMUNITY WATER SYSTEMS ASSISTANCE ACT

WATER RESOURCES RESEARCH AMENDMENTS ACT OF 2015

Mr. BARRASSO. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 83, S. 611, and Calendar No. 84, S. 653, en bloc.

The PRESIDING OFFICER. The clerk will report the bills by title en bloc.

The bill clerk read as follows:

A bill (S. 611) to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems, and for other purposes.

A bill (S. 653) to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the bills be read a third time and passed and the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 611) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 611

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Grassroots Rural and Small Community Water Systems Assistance Act''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Safe Drinking Water Act Amendments of 1996 (Public Law 104–182) authorized technical assistance for small and rural communities to assist those communities in complying with regulations promulgated pursuant to the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(2) technical assistance and compliance training—

(A) ensures that Federal regulations do not overwhelm the resources of small and rural communities; and

(B) provides small and rural communities lacking technical resources with the necessary skills to improve and protect water resources;

(3) across the United States, more than 90 percent of the community water systems serve a population of less than 10,000 individuals;

(4) small and rural communities have the greatest difficulty providing safe, affordable public drinking water and wastewater services due to limited economies of scale and lack of technical expertise; and

(5) in addition to being the main source of compliance assistance, small and rural water technical assistance has been the main source of emergency response assistance in small and rural communities.

SEC. 3. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) to assist small and rural communities most effectively, the Administrator of the Environmental Protection Agency should prioritize the types of technical assistance that are most beneficial to those communities, based on input from those communities; and

(2) local support is the key to making Federal assistance initiatives work in small and rural communities to the maximum benefit.

SEC. 4. FUNDING PRIORITIES.

Section 1442(e) of the Safe Drinking Water Act (42 U.S.C. 300j–1(e)) is amended—

(1) by designating the first through seventh sentences as paragraphs (1) through (7), respectively;

(2) in paragraph (5) (as so designated), by striking ''1997 through 2003'' and inserting ''2015 through 2020''; and

(3) by adding at the end the following:

''(8) NONPROFIT ORGANIZATIONS.—

''(A) IN GENERAL.—The Administrator may use amounts made available to carry out this section to provide grants or cooperative agreements to nonprofit organizations that provide to small public water systems onsite technical assistance, circuit-rider technical assistance programs, multistate, regional technical assistance programs, onsite and regional training, assistance with implementing source water protection plans, and assistance with implementing monitoring plans, rules, regulations, and water security enhancements.

''(B) PREFERENCE.—To ensure that technical assistance funding is used in a manner that is most beneficial to the small and rural communities of a State, the Administrator shall give preference under this paragraph to nonprofit organizations that, as determined by the Administrator, are the most qualified and experienced in providing training and technical assistance to small public water systems and that the small community water systems in that State find to be the most beneficial and effective.

''(C) LIMITATION.—No grant or cooperative agreement provided or otherwise made available under this section may be used for litigation pursuant to section 1449.''.

The bill (S. 653) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 653

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Water Resources Research Amendments Act of 2015''.

SEC. 2. WATER RESOURCES RESEARCH ACT AMENDMENTS.

(a) CONGRESSIONAL FINDINGS AND DECLARATIONS.—Section 102 of the Water Resources Research Act of 1984 (42 U.S.C. 10301) is amended—

(1) by redesignating paragraphs (7) through (9) as paragraphs (8) through (10), respectively;

(2) in paragraph (8) (as so redesignated), by striking ''and'' at the end; and

(3) by inserting after paragraph (6) the following:

''(7) additional research is required into increasing the effectiveness and efficiency of new and existing treatment works through alternative approaches, including—

''(A) nonstructural alternatives;

''(B) decentralized approaches;

''(C) energy use efficiency;

''(D) water use efficiency; and

''(E) actions to extract energy from wastewater;''.

(b) CLARIFICATION OF RESEARCH ACTIVITIES.—Section 104(b)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(b)(1)) is amended—

(1) in subparagraph (B)(ii), by striking ''water-related phenomena'' and inserting ''water resources''; and

(2) in subparagraph (D), by striking the period at the end and inserting ''; and''.

(c) COMPLIANCE REPORT.—Section 104(c) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(c)) is amended—

(1) by striking ''(c) From the'' and inserting the following:

''(c) GRANTS.—

''(1) IN GENERAL.—From the''; and

(2) by adding at the end the following:

''(2) REPORT.—Not later than December 31 of each fiscal year, the Secretary shall submit to the Committee on Environment and Public Works of the Senate, the Committee on the Budget of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on the Budget of the House of Representatives a report regarding the compliance of each funding recipient with this subsection for the immediately preceding fiscal year.''.

(d) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—Section 104 of the Water Resources Research Act of 1984 (42 U.S.C. 10303) is amended by striking subsection (e) and inserting the following:

''(e) EVALUATION OF WATER RESOURCES RESEARCH PROGRAM.—

''(1) IN GENERAL.—The Secretary shall conduct a careful and detailed evaluation of each institute at least once every 3 years to determine—

''(A) the quality and relevance of the water resources research of the institute;

''(B) the effectiveness of the institute at producing measured results and applied water supply research; and

''(C) whether the effectiveness of the institute as an institution for planning, conducting, and arranging for research warrants continued support under this section.

''(2) PROHIBITION ON FURTHER SUPPORT.—If, as a result of an evaluation under paragraph (1), the Secretary determines that an institute does not qualify for further support under this section, no further grants to the institute may be provided until the qualifications of the institute are reestablished to the satisfaction of the Secretary.''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 104(f)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(f)(1)) is amended by striking ''$12,000,000 for each of fiscal years 2007 through 2011'' and inserting ''$7,500,000 for each of fiscal years 2015 through 2020''.

(f) ADDITIONAL APPROPRIATIONS WHERE RESEARCH FOCUSED ON WATER PROBLEMS OF INTERSTATE NATURE.—Section 104(g)(1) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(g)(1)) is amended in the first sentence by striking ''$6,000,000 for each of fiscal

years 2007 through 2011'' and inserting ''$1,500,000 for each of fiscal years 2015 through 2020''.

ORDERS FOR WEDNESDAY, JUNE 10, 2015

Mr. BARRASSO. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, June 10; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each; further, that the time be equally divided, with the Democrats controlling the first half and the majority controlling the second half; finally, that following morning business, the Senate resume consideration of H.R. 1735.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. BARRASSO. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:34 p.m., adjourned until Wednesday, June 10, 2015, at 9:30 a.m.

EXTENSIONS OF REMARKS

IN HONOR OF THE 100TH ANNIVERSARY OF COTERIE

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Ms. DEGETTE. Mr. Speaker, I rise today in honor of the Coterie organization as they celebrate their 100th anniversary. I have the privilege of representing this outstanding organization and many of its members, who are truly a great asset to our community.

Established in 1915 by a small group of African American women in Denver who had a great thirst for knowledge, the group has persevered for a century. Since their founding at a time when the Ku Klux Klan predominated and then through two world wars, the Great Depression, economic recessions and segregation, their tradition has endured. Each year, Coterie has investigated a new research topic, choosing subjects as diverse as the ages and interests of their members. Through the years, topics have included Milton and English Drama, Contemporary Women Meeting Today's Challenge of the Space Age, The World's Great Opera, and Spotlighting Colorado Afro-American Achievers.

Since Coterie members understand the value that education brings to a community, they have shared it with countless others over their 100 year history. Members have been mentors to others and have inspired young people to continue their education. The findings from their research will be stored at the Blair Caldwell African American Research Library, an appropriate depository of their work given, its mission of "sharing resources and services about African-American History." The preservation of their work will enable future generations to benefit from their efforts for many decades to come.

Coterie has been an important part of African-American culture in Denver, and many of their members have also served as community leaders. Some of their notable living members include Marie Greenwood, who is now 102 years old, joined Coterie in 1937, and is the first African American woman to receive a contract to teach with Denver Public Schools. Erma Ford, now 89 years old and a member since 1958, served as past president of the Colorado Association of Early Childhood Education.

Life, present and past, has been their teacher. Please join me in celebrating 100 years of Coterie in their dedicated pursuit of knowledge.

HONORING ANITA GERSON FOR RECEIVING THE 2015 DELORES BARR WEAVER ELDER ADVOCATE AWARD

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. CRENSHAW. Mr. Speaker, I rise today to recognize Macclenny, Florida resident Anita Gerson, recipient of the 2015 Delores Barr Weaver Elder Advocate Award from ElderSource, an organization devoted to helping seniors across North Florida live independent lives.

A dedicated volunteer, Mrs. Gerson, 87, has served the elderly since her youth with ElderSource as her latest focus. For the last 15 years, she has put the needs of Baker County, Florida elderly at the top of her list, serving on the ElderSource board of directors and ensuring organization services are efficient, effective, and meet client needs. Additionally, she brought her devotion to the Baker County Council on Aging, where she served on the board of directors for seven years and president for one year.

Mrs. Gerson has been described as a "woman of great passion, wisdom and humor"—qualities she embodies day-in and day-out as she cares for her community and those in need. She is a leader, a doer, does not shy away from hard work, and will stop at nothing to serve the elderly in her community.

"Bloom where you are planted," her mother once told her, and make a positive difference in the lives of those around you. She has met that goal and then some throughout her entire life.

Mr. Speaker, I ask you to please join me in a very special Congressional salute to volunteer leader Northeast Florida resident Anita Gerson—an example for us all.

HONORING CHRISTIE RAMPONE AND CARLI LLOYD

HON. THOMAS MacARTHUR

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. MACARTHUR. Mr. Speaker, I rise today to honor two remarkably talented women, Christie Rampone and Carli Lloyd of New Jersey's Third Congressional District, for their participation on the U.S. Women's National Soccer Team.

I am proud to have Ms. Rampone and Ms. Lloyd represent not only the United States and New Jersey, but the people of Ocean County and Burlington County, on an international scale. As 2 of the 23 elite players offered membership onto the team, Ms. Rampone and Ms. Lloyd are not only exceptional athletes, but extraordinary testaments to determination, commitment, and sportsmanship.

Ms. Rampone, of Point Pleasant, New Jersey, is a 1999 FIFA Women's World Cup champion and a three-time Olympic gold medalist, having won championship titles at the last 4 Summer Olympics. She has finished no lower than third place in each of the World Cup or Olympic tournaments in which she has competed while also being the mother of two young children.

Ms. Lloyd, of Delran, New Jersey, is a two-time Olympic gold medalist, scoring the gold medal-winning goals in the finals of both the 2008 and the 2012 Summer Olympics. She has also represented the United States at two FIFA Women's World Cup tournaments, winning bronze and silver respectively, and has scored over 50 goals in 190 games throughout her career on the U.S. Women's National Team.

Mr. Speaker, South Jersey applauds Christie Rampone and Carli Lloyd with tremendous pride and admiration for their achievements in soccer. It is my honor to recognize them before the United States House of Representatives.

CONGRATULATING THE AMERICAN ASSOCIATION OF UNIVERSITY WOMEN FLINT BRANCH ON ITS 95TH ANNIVERSARY

HON. DANIEL T. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. KILDEE. Mr. Speaker, I ask the United States House of Representatives to join me in recognizing the American Association of University Women Flint Branch on the occasion of their 95th anniversary.

The AAUW Flint Branch was established in 1919 when 28 college-educated women formed a branch of the Western Association of Collegiate Alumnae. Throughout its history, the Flint Branch has actively supported regional, cultural, civic and educational programs and events.

The group gathers several times per year through membership meetings and book club gatherings. The meetings have consisted of guest speakers who educate members and initiate conversation around important issues affecting women and the greater community. Funds are raised through various initiatives allowing the branch to build awareness and advocate for worthy causes not just with its voice but also through financial support.

In 1922, an annual college scholarship of $200 was established for worthy women students. This fund was continued for four years. In 1972, the Flint branch reinstated the annual merit scholarship bestowed to a female student attending a college or university in Genesee County. The award is now $1,000 and is renewable one additional year to each recipient along with a new yearly recipient. The branch also provides financial support to the Eleanor Roosevelt Fund, the Legal Advocacy

Fund, and the National Women's Council facilitated through the AAUW National office.

Throughout the years, the Flint branch has been a strong supporter of Title IX and would keep area schools and athletic associations apprised of issues at the national level. The branch also actively supports non-profit organizations in Genesee County such as Carriage Town Mission, Whaley Children's Center and UM–Flint's MPowering My Success program. In the 1960s and 1970s the Flint branch of the AAUW organized large book sales at the Genesee Valley Mall to promote literacy and generate funds for its philanthropic endeavors.

Mr. Speaker, I applaud the work done by the AAUW Flint Branch and thank them for the service they have provided to the City of Flint and the surrounding communities.

TRIBUTE TO TAIWAN PRESIDENT MA YING-JEOU ON PEACE AND DIPLOMACY

HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. PAYNE. Mr. Speaker, I rise today to express my unwavering support to the people of the Republic of China Taiwan. The United States and Taiwan are two like-minded countries. The Taiwanese people share our same cultural values of respect for individual liberties, freedom of speech, adherence to the rule of law, and support for human rights.

I would also like to take this opportunity to share a speech entitled ''True Friendship Lasts Forever'' delivered by Taiwan President Ma Ying-jeou on June 2, 2015, at a video conference at Stanford University. In his speech, President Ma delineated the importance of future cooperation opportunities between our two countries. Below is the summary of President Ma's speech. For the full transcript, please visit the website of the office of the President of the Republic of China: http://www.president.gov.tw

''I am very happy to be here for today's videoconference. This year marks the 70th anniversary of the end of World War II, as well as the Republic of China's (ROC) victory in the War of Resistance Against Japan. In July 1937, two years before World War II broke out, ROC forces began fighting against Japanese aggression alone, and for four long years, they continued with virtually no outside help. It wasn't until the Pearl Harbor attack in December 1941 that the ROC joined forces with the Allies to declare war against Japan, Germany, and Italy.

Although the ROC and U.S. severed diplomatic ties in 1979, barely three months later, the U.S. Congress passed the Taiwan Relations Act (TRA). Under that Act, Taiwan is treated as a foreign government for purposes of U.S. law and in U.S. courts. The Act also requires the U.S. to provide Taiwan with defensive weapons.

Since I came into office in 2008, mutual ROC–U.S. trust has been restored at the highest levels of government. And over the past two years, there have been frequent, reciprocal visits by high-level officials. In April 2014, U.S. Environmental Protection Agency Administrator Gina McCarthy visited Taiwan, and Charles Rivkin, Assistant Secretary of State for Economic and Business Affairs is visiting Taiwan now. At the same time, heads of various ROC government agencies have visited the U.S., so there is a solid foundation of mutual trust there.

In addition to strong security ties, Taiwan-U.S. trade relations have also made significant progress over the last few years. In March 2013, after a five-year hiatus, we reopened negotiations with the U.S. under the Trade and Investment Framework Agreement (TIFA), a platform set up in 1994 to facilitate talks in trade and investment matters. We have continued bilateral consultations in a series of 12 work conferences, and have made significant progress. At the end of March 2015, the ROC is America's 10th largest trading partner, surpassing Brazil and Saudi Arabia, and the U.S. is Taiwan's third largest, after mainland China and Japan.

Let me turn to cross-strait relations. Over the past seven years, Taiwan and mainland China have signed 21 agreements. During that same period, visitors from mainland China have made over 14 million trips to Taiwan, almost four million of them in the past year alone. So the cross-strait situation is more stable and peaceful than it has ever been in the past 66 years.

In addition to seeking stable development in cross-strait and ROC–U.S. relations, Taiwan has also taken concrete actions over the past few years to be a regional peacemaker in both the East China Sea, and the South China Sea. Back in August 2012, I proposed the East China Sea Peace Initiative. That Initiative asks stakeholders to forgo conflict in favor of peaceful negotiations, and emphasizes cooperation in sharing resources. Eight months later in April 2013, Taiwan and Japan signed a fisheries agreement that embodies the spirit of that Initiative, and solved a fisheries dispute between Taiwan and Japan that has troubled both countries for 40 years. That agreement elicited widespread praise and support from the global community. Secretary of State John Kerry has publicly stated that the ROC–Japan fisheries agreement is a model for promoting regional stability, and that the principles at the heart of the East China Sea Peace Initiative apply to all of the waters in Asia.

In the East China Sea, the East China Sea Peace Initiative encourages stakeholders to shelve their disputes, and cooperate to create win-win situations. Its success makes it a model for peaceful development in the South China Sea. On May 26, 2015, I formally announced the South China Sea Peace Initiative, hoping that the relevant parties will: ''shelve sovereignty dispute, pursue peace and reciprocity, and promote joint exploration and development.'' By upholding those principles, we hope that all the parties involved will work together to maintain regional peace and promote regional development. A U.S. State Department official stated that the U.S. appreciates the proposals in the South China Sea Peace Initiative. I sincerely hope that all of the outstanding scholars and experts gathered here will support the pursuit of peace.''

Mr. Speaker, this tribute recognizes the importance of the relationship between the United States and the Republic of China Taiwan as strategic partners under the Taiwan Relations Act.

RECOGNIZING THE DEDICATED SERVICE OF SENIOR JUDGE WILLIAM STAFFORD

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize Judge William Stafford for his 40 years as a federal judge on the bench of the United States District Court for the Northern District of Florida. Since receiving his appointment by President Gerald Ford on May 30, 1975, Judge Stafford has worked tirelessly to uphold our Constitution, and his service is a true testament to his patriotism and commitment to justice.

Judge Stafford's service to our Nation began many years prior to his appointment as a federal judge, when, as a recent law school graduate, he joined the United States Navy, serving with honor and distinction until 1960. After nearly a decade in private practice, Judge Stafford served as a United States Attorney for the Northern District of Florida from 1969 until he received his appointment to serve as a federal judge.

During his time on the bench, Judge Stafford has served in numerous important positions, including more than 10 years as Chief Judge of the United States District Court for the Northern District of Florida and nearly 20 years as Senior Judge. In addition, he also served for 7 years as a judge on the Foreign Intelligence Surveillance Court, which helps ensure that our Nation remains safe from those who seek to do us harm.

As a result of his excellence on the bench, Judge Stafford has received numerous professional appointments and awards. He served nearly a decade on the Committees of Judicial Conference of the United States, a position appointed by the Chief Justice of the Supreme Court, in addition to myriad committee assignments with the Florida Bar, and a term as President of the District Judges Association of the Eleventh Circuit. Judge Stafford has also received recognitions including the Temple Law Alumni Achievement Award and the American Bar Association's Law Day USA National Speech Award, and his commitment to the legal profession saw him help found the American Inns of Court's Tallahassee Inn, which was renamed the William H. Stafford American Inn of Court in his honor.

Judge Stafford's commitment to service and dedication to his community extend far beyond his judicial service, and he has served both St. John's Episcopal Church in Tallahassee and Christ Church in Pensacola, in addition to service in the Brotherhood of St. Andrew and the Dioceses of Florida and of the Central Gulf Coast. As a leader in civic society, Judge Stafford is a longtime Rotary Club member, having served as President of the Tallahassee Rotary Club and received awards such as the Frederick Clifton Moor Award; served as President of the Tallahassee YMCA; and served on numerous Boards, including the Friends of Leon County Library Board, Sacred Heart Hospital of Pensacola's Board of Directors, as well as the Board of Directors of the Pensacola Symphony. He is also a longtime member of fraternal organizations and has received both the Grand Cross of Honour from the Scottish Rite and was named Grand Orator.

Our Constitutional system of government enshrined checks and balances and three co-equal but separate branches of government, and in order to uphold our Constitution, it is vital that we have honorable public servants like Judge Stafford willing to dedicate their professional careers to service in the judicial branch. On behalf of the House of Representatives, I am privileged to recognize Judge Stafford's 40 years on the federal bench, and my wife Vicki and I send our best wishes for many more years to Judge Stafford; his wife, Nancy; sons William III, Donald and David; six grandchildren; and the entire Stafford family.

HONORING THE UPCOMING WEDDING OF ALEX FERNANDEZ AND ROBERT WOLFARTH

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. DEUTCH. Mr. Speaker, I rise today in honor of the upcoming nuptials of Alex Fernandez and Robert Wolfarth.

Robert Wolfarth and Alex Fernandez of south Florida will be getting married in the District of Columbia at the Florida House on Capitol Hill. Their wedding ceremony marks the first same-sex marriage at the Florida House following its lawful recognition in the state through judicial ruling.

Giving back to their community has been a centerpiece of Robert and Alex's professional lives and of their relationship. Robert, the grandson of former Miami Mayor William M. Wolfarth, and Alex, a public servant since the age of 15, met on September 25th, 2006 at Miami-Dade County Hall where Alex worked at the time as a Press Secretary. The two were immediately bonded by a shared passion for public service.

Alex proudly served as an aide to Miami Beach Mayor Matti Herrera Bower and was her liaison to the LGBT Affairs Committee playing an instrumental role in the inaugural Miami Beach Gay Pride. As a successful real estate entrepreneur, Robert's most cherished professional accomplishment has been hiring an undocumented immigrant, helping her become an American citizen, obtain a real estate salesperson license, and achieve the American Dream of homeownership. A member of the Miami Beach Hispanic Affairs Board, Alex has been an active advocate for workforce housing for residents being displaced from their homes and community by the rising cost of living and real estate values.

Among their many professional and civic endeavors, Robert and Alex are most proud of their mutual service to the communities they love, Miami-Dade County and Miami Beach. Whether it be through the rescue of their three dogs from the shelter, or the distribution of pumpkin pies to the less fortunate on Thanksgiving, or through their past service on the Planning, Affordable Housing, or Charter Review Boards, Robert and Alex find in each day of their relationship the opportunity to make a positive impact in the lives of others.

Through their marriage and the continued support of their friends and loved ones, Robert and Alex hope to demonstrate that as a nation, states, and communities we are strengthened through the contributions of countless loving and committed American same-sex couples seeking the fundamental right to the pursuit of happiness.

On this special occasion, I wish Robert and Alex many continued years of love, health, and happiness as they enter this blessed new stage of their lives together.

REMEMBERING THE LIFE OF FRED MILLER

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Ms. KAPTUR. Mr. Speaker, I rise to remember the life of Fred Miller of Toledo, Ohio. Passing from this life at the age of 88, Fred lived life to the fullest.

Fred Miller was born on March 28, 1925 to Mattie and Roy Miller. A lifelong Toledoan, he graduated from DeVilbiss High School in 1943 and soon followed graduation with service in the U.S. Army Air Corps in Europe until after World War II. Upon his return home, he enrolled in the University of Toledo where he graduated in 1949 with a degree in electrical engineering. A few months later he married his wife Dorothy. Dorothy and Fred were married 64 years and together raised three sons.

Fred Miller built his career at the Toledo Edison Company, giving the company 38 years of service.

A man of faith and service to others, Fred was an active member of Aldersgate United Methodist Church where he served on the finance committee for many years. He also found time to serve as a Boy Scout leader.

Retirement saw Fred furthering his skills as an angler, fishing all over North America from Alaska to the Florida Keys. He and Dorothy were fortunate to travel the world. He was also able to indulge in his hobbies of photography and building model airplanes.

Fred Miller was a loving husband, father and grandfather. He was a man who gave fully to his family, his faith and his community. May those who loved him find peace in the memory of his spirit and the imprint he leaves on their lives.

TRIBUTE TO CLINT CALLICOTT

HON. MARSHA BLACKBURN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mrs. BLACKBURN. Mr. Speaker, the Tennessee 7th Congressional District, home to Williamson County, was shaped in part by its long-time leader, and a dear friend of mine, Clint Callicott.

Mr. Callicott's time on Earth will be remembered by his service to others. During his time on the Williamson county commission, as county Mayor and in the Tennessee General Assembly, Clint served the people of his community with distinction and passion. He leaves behind a legacy of love; love for his family, community, and the land.

Mr. Callicott was considered the "father" of the Williamson County Agriculture Exposition Park, home to rodeos, trade shows, and the Williamson County Fair. In gratitude for his work in establishing the Park, the facility's arena is named in his honor.

It is fitting that Clint Callicott spent his last hours on his family farm before joining our Savior in Heaven. I ask my colleagues to join with me in celebrating one of Williamson County's greatest men. My thoughts and prayers are with his beautiful wife Carolyn, sons Claude and Clayton, and his extended family.

RIVERVIEW/VALLEYVIEW CHRISTIAN AND MISSIONARY ALLIANCE CHURCH

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to congratulate the Riverview/Valleyview Christian and Missionary Alliance Church on the 100 year anniversary of their founding.

The Church was chartered by the Christian and Mission Alliance Organization in the Spring of 1915, in the Village of Endicott, New York. A church was built on the north side of the Susquehanna River and named "Riverview Christian and Missionary Alliance." In the mid 1980's a new larger church was built on a hill across the river in Vestal, New York, and the name changed to Valleyview Christian and Missionary Alliance. On June 13, 2015, the congregation will celebrate the 100th year anniversary of the founding of their Church, under the current leadership of its pastor, Rev. David M. Murphy.

Valleyview Christian and Missionary Alliance has made a difference and is a valued institution for Christian stewardship.

HONORING MR. RICHARD K. UHLER

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. MEEHAN. Mr. Speaker, I rise to honor Mr. Richard K. Uhler for his service and sacrifice during the Second World War.

Mr. Uhler, of Springfield, Pennsylvania, served in the United States Army as a Private First Class with Company H, 2nd Battalion, 180th Infantry Regiment, 45th Infantry Division. He served bravely in the Anzio campaign, where he was wounded by shrapnel. Despite his service and injury, he never received the Purple Heart.

Mr. Uhler was among the millions of veterans whose records were tragically destroyed by a fire at the National Personnel Records Center during the 1970s. After diligent investigation, I'm pleased my office was able to find documentation for his service and the injuries he sustained in battle. Mr. Uhler will now finally receive the commendations he earned more than 70 years after he was wounded in Italy.

Mr. Speaker, this week I had the chance to host Mr. Uhler while he was presented with the Purple Heart and Bronze Star he earned for his service. On behalf of the 7th District of Pennsylvania, I want to thank Mr. Richard Uhler for his service to our great nation.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,152,809,942,589.13. We've added $7,525,932,893,676.05 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. ALMA S. ADAMS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Ms. ADAMS. Mr. Speaker, on June 2, 2015, I was absent for recorded votes #270 through #273 due to the passing of my mother.

I would like to reflect how I would have voted if I were here:

On Roll Call #270, I would have voted ''yes.''

On Roll Call #271, I would have voted ''yes.''

On Roll Call #272, I would have voted ''yes.''

On Roll Call #273, I would have voted ''no.''

RECOGNIZING THE CITY OF ZNIN, POLAND

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Ms. KAPTUR. Mr. Speaker, I rise today to recognize a milestone in the long life of the City of Znin, Poland, of which I am proud to be an honorary citizen. June 3, 2015 marks 25 years of local self-government for the nearly 15,000 people of Znin.

Znin, originating from the Polish word for harvest, is nestled on the river Gasawka in Poland. Though the region has been settled for far longer, the city itself is nearly 900 years old and was once a major town on the trade route known as the Amber Road. King Casimir the Great of Poland visited many times and it was also a favorite of bishops through the latter half of the 14th Century. Fires destroyed much of Znin in the later 15th Century, but the town was rebuilt and boasted the first windmill, orchards, breweries and businesses. The 17th and 18th centuries brought disease and more fires from which the town did not recover well. During the First Partition of Poland in the 1770's, Znin was annexed by Prussia. The town was liberated in 1794 through the Kosciuszko Uprising. It became part of the Duchy of Warsaw a few years later, but was returned to Prussia in 1815. The town's economy developed through the 19th Century, with modern infrastructure and its population growing to 4,500 citizens.

Znin's residents successfully participated in the 1919 Greater Poland Uprising. A new town council was elected and Polish was reestablished as the official language of the town's nearly 5,000 residents. Between the two World Wars, the economy perked up once again and Znin boasted two colleges and both daily and weekly newspapers.

On September 1, 1939, the Nazi Luftwaffe bombed Znin to start World War II. Nine days later, German troops overtook the town and once again Znin was wiped from the map of Europe. The Germans renamed the town and its streets, the children could not go to school and hundreds of people were deported or shot.

After the war, with Poland under the brutal thumb of the Soviet Union as a result of the Yalta Conference, the people of Znin again faced repression and fear. Soviet industrialization brought development to Znin, but its citizens were forced to live under the Soviet regime while Poland was under the sphere of Soviet Communism. The people of Poland never gave up, though, and the ensuing decades saw uprisings as the people tried to liberate themselves. Finally, a group of shipyard workers in Gdansk brought light to the people of Poland. Over the course of a decade between 1980 and 1989, Solidarity moved forward culminating in the election of its leader Lech Walesa in 1990 and a free Poland.

Thus, on its 25th anniversary of return to self-governance, the citizens of Znin look forward. The fires of the past drive them forth, but the light of the future carries them to new possibilities. I am so pleased to stand with my compatriots in Znin as together we celebrate 25 years of freedom. Naprzód!

RECOGNIZING LAWRENCE L. KITCHING, JR. AND TRUTECH HEATING AND COOLING

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in recognizing Lawrence L. Kitching, Jr. and TruTech Heating and Cooling, the recipient of our 2015 District of Columbia Small Business of the Year award. The award is given to an outstanding D.C. small business every year at our annual Small Business Fair.

TruTech Heating and Cooling is a small business that was founded by Lawrence L. Kitching. Through hard work, determination, knowledge of his craft and excellence in performance, Mr. Kitching has grown his business significantly. Since opening in D.C. in 2012, TruTech Heating and Cooling has expanded its business into Maryland and Virginia. The business prides itself on quality craftsmanship, integrity and customer service. The technicians and professionals at TruTech Heating and Cooling are well-trained.

Mr. Kitching, a native Washingtonian and graduate of William McKinley Technical High School, learned heating, ventilation and air conditioning at Lincoln Technical Institute and received his diploma in 1997. After heading down the wrong path, Mr. Kitching decided to pursue a better life for himself and his son, and began working to improve his skills while in prison. After his release, he worked at a prominent air conditioning company in the D.C. area for seven years. Then, he boldly followed his passion to become an entrepreneur and left his job to start his own company. Mr. Kitching and his company are certified by the North American Technician Excellence, and are recognized as professionals in the industry.

We are particularly proud that TruTech Heating and Cooling has provided such an essential service to the members of our community. Lawrence Kitching has succeeded in a tough, competitive business environment. In the process, he has become an inspiration not only to our local small businesses but also to anyone who has had a poor start in life.

Mr. Speaker, I ask the House of Representatives to join me in congratulating Lawrence L. Kitching, Jr. for recommitting himself to the pursuit of excellence and integrity and to TruTech Heating and Cooling, the District of Columbia 2015 Small Business of the Year.

HONORING LAKE WORTH DRAINAGE DISTRICT AS IT CELEBRATES 100 YEARS OF OPERATION

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. DEUTCH. Mr. Speaker, I rise today in honor of the Lake Worth Drainage District, which is celebrating its 100th Anniversary of providing water management services to the Palm Beach County community.

For the past 100 years, the District has managed the surface water resources of southeastern Palm Beach County. Overseeing a complex system of 500 miles of canals and 20 major water control structures, the Lake Worth Drainage District has continued to protect our lands from the dangers of both flood and drought. Their tireless efforts have not only met the demands of our evolving urban and agricultural communities, but also bolstered employment and business growth opportunities. The amount of time and effort the District and its employees have expended for the betterment of their community is truly admirable and exhibits a level of commitment worthy of recognition. With their support Palm Beach County has remained the Winter Vegetable Capital of the United States.

I happily congratulate the District and its employees on a century of hard work and dedication to the urban and agricultural community of South Florida. It is with great pleasure that I honor them.

HONORING THE CAREER OF CAROLYN SIMS

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. MARCHANT. Mr. Speaker, today I honor the career and celebrate the retirement of a dedicated and tireless public servant, Carolyn Sims, who most recently worked as Precinct Administrator for County Commissioner Gary Fickes of Tarrant County, Texas.

Carolyn was born in Dallas and built her career of local service on a strong educational foundation. At the University of North Texas she earned her Bachelors in Business Education and a Masters in Public School Administration, in addition to a vocational teaching certification and hours toward a counseling certification. After briefly beginning her professional life at a bank, she put her background to work in helping children. From 1973 to 1982 she served as an 8th grade teacher in the Irving and Grapevine-Colleyville Independent School Districts, teaching vocational subjects, including typing, and also serving as a counselor. Afterward, Carolyn worked for the latter as a volunteer coordinator.

She then ran her own secretarial business for several years and became a mother to Trey and Kate. With that business experience in hand, in 1989, Carolyn became the president of the Colleyville Area Chamber of Commerce, where she worked to advance the concerns and success of local business for six years. Afterwards, she became president of the Arts Council of Northeast Tarrant County from 1995 to 2002. Seeing her record of service, Texas Representative Vicki Truitt recruited Carolyn to serve as her chief of staff in Austin during the legislative session of 2003. Upon returning, she entered local government by becoming the director of marketing and public affairs for the Town of Westlake until 2006, and then worked into the next year as the executive director of the Northwest Independent School District Education Foundation.

Finally, Carolyn's record of leadership led her to becoming the Precinct Administrator, essentially a chief of staff role, for Tarrant County Commissioner Gary Fickes in 2007. In that position, she regularly worked with and served people from 17 cities.

Her admirable history of service to the community, however, does not end with her professional track. Carolyn is currently on the boards of the Tarrant County MHMR (providing practical help to people with mental health needs), the Northeast Tarrant County Chamber of Commerce, and the Northeast Leadership Forum. Over the years she has volunteered with and been an active participant in numerous civic organizations including: Community Enrichment Center, United Way, JPS, Southlake Toastmasters, Hugworks, Rotary Club, Hill Country Bible Church, Austin Aggie Moms, Alliance for Children, Women's Shelter, Metroport Cities Partnership, Southlake Business Women Organization, American Cancer Society, University of North Texas Alumni, and other Chamber of Commerce branches and school district education foundations. She has also had professional affiliations with Americans for the Arts, Texas Alliance for the Arts, Association of Fundraising Professionals, Texas Travel Industry Association, North Hills Hospital Board, and the Texas Chamber of Commerce Executives.

Suffice it to say, Carolyn loves to help others through her organizations and community service, listening to their concerns, sharing job opportunities, and providing means of assistance to those in need. She is the model of a citizen who dedicates her life to working hard for her neighbors.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in thanking Carolyn Sims for her years of service to Tarrant County, and various aspects of the community within it, and in celebrating her well-earned retirement.

PERSONAL EXPLANATION

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. ROE of Tennessee. Mr. Speaker, I was unable to vote on June 3, 2015, because of the death of a close friend. Had I been present, I would have voted:

Roll Call #288—Aye
Roll Call #289—Aye
Roll Call #290—Aye
Roll Call #291—Aye
Roll Call #292—Aye
Roll Call #293—Aye
Roll Call #294—Aye
Roll Call #295—Aye
Roll Call #296—Nay
Roll Call #297—Yea

RECOGNIZING MARGARET WUWERT'S LIFE OF SERVICE

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Ms. KAPTUR. Mr. Speaker, I rise today to recognize the life's work of Margaret Wuwert of Toledo, Ohio. After building the once-fledgling Children's Rights Council into the well-respected organization it has become, Margaret recently was retired from the organization which bears her imprimatur.

Margaret Wuwert joined the Children's Rights Council in 1995 and was appointed as Chapter Leader in Toledo, Ohio. In just five years, by 2000 she had implemented one of the best Supervised Visitation/Access Centers in the United States. So many families have been able to visit their children at these visitation/access sites. Margaret recruited and mentored many others to start sites in other communities. Always, with the goal of helping children and families, Margaret's enthusiasm for her work has been boundless and infectious.

Margaret has also been an honored member of the National Office in Washington, DC where her knowledge and experience have been much-valued at board meetings and conferences. Her passion is clear, endless, and passed on to everyone who met her.

With money often a concern in keeping sites open, Margaret ''worked day and night trying to get grant money and many times she gave up her own salary in order to not close the doors to Children's Rights Council'' according to one of her colleagues. Working with the family court system, Margaret developed relationships with judges, CASA volunteers and community leaders to move forward the goals of the Children's Rights Council. In her quiet and earnest way, Margaret was able to make the system of court ordered supervised visits work in the best way possible for children and parents.

As a colleague she mentored noted, ''The world is a better place because she cared about these children who had no way to see their other parent. There are not too many people like Margaret. If it were not for her. . . . life would be so much more complicated.''

Margaret Wuwert is a joyful soul who brought joy to families in tragic situations. Without her tireless efforts and dedication to her work, there would not be a Children's Rights Council able to offer the help to families it does today. For twenty years, Margaret Wuwert was the Children's Rights Council. She leaves shoes impossible to fill, but a strong organization which is integral to the needs of families who find themselves in the court system.

We thank Margaret Wuwert for her compassion, her spirit and her unending efforts as a leader with the Children's Rights Council. We wish for Margaret in retirement time to spend with those for whom she cares and doing that which she most enjoys.

HONORING THE AMERICAN LEGION, PASO DEL NORTE POST 58

HON. BETO O'ROURKE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. O'ROURKE. Mr. Speaker, I am honored to rise today to recognize the American Legion Post 58 located in Northeast El Paso on Vulcan Avenue, also known as the El Paso Del Norte Post. I am pleased to recognize them as a distinguished Veteran Services Organization in my district.

As one of the largest VSOs in Texas, the Paso Del Norte Post's engagement with our veteran community is exemplary. Several of the officers at this post serve or have served on national committees and commissions of the American Legion. In the fall of 2014, a team from the American Legion national organization visited El Paso and worked with the El Paso VA to provide medical care to veterans in need. The visiting group of the American Legion, led by Verna Jones, Director of the Veterans Affairs and Rehabilitation Division in Washington, D.C., also hosted a town hall at the El Paso Del Norte headquarters where over 400 veterans attended.

Post 58 further provided accommodations to their national counterparts for four additional days to assist veterans through their ''Veteran Crisis Command Center'' where a team known as a ''triage team'' was available to help veterans get access to the medical care they deserve. The American Legion Post 58's commitment to our community's veterans is remarkable and their team is comprised of dedicated veterans who volunteer their time to serve fellow veterans. The American Legion in my district is currently led by Richard Britton. I thank him for his leadership.

The American Legion Paso Del Norte Post 58 is an asset to our veteran community and El Paso. I thank Post 58 for their commitment to honoring our veterans and for helping strengthen the bonds in the El Paso community.

PERSONAL EXPLANATION

HON. ALMA S. ADAMS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Ms. ADAMS. Mr. Speaker, on June 4, 2015 I was absent for recorded votes #298 through #308 due to the passing of my mother.

I would like to reflect how I would have voted if I were here:

On Roll Call #298 I would have voted No
On Roll Call #299 I would have voted No
On Roll Call #301 I would have voted Yes
On Roll Call #302 I would have voted No
On Roll Call #303 I would have voted No
On Roll Call #304 I would have voted No
On Roll Call #305 I would have voted Yes
On Roll Call #306 I would have voted Yes
On Roll Call #307 I would have voted No
On Roll Call #308 I would have voted Yes

HONORING THE MICCOSUKEE INDIAN SCHOOL FOR RECEIVING FLEXIBILITY TO USE CULTURALLY RESPONSIVE STANDARDS

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Ms. WILSON of Florida. Mr. Speaker, today I rise to honor a historic chapter in Indian education. The Miccosukee tribe is the first tribe to receive flexibility from the Department of Education to use academic standards under the No Child Left Behind Act that reflect the unique culture of its people and needs of its children.

The standards developed for the Miccosukee Indian School integrate the tribe's culture and language while establishing tough academic standards that will promote college and career readiness.

Last Monday, Secretary of Education Arnie Duncan and Secretary of the Interior Sally Jewell hosted a ceremony to honor Chairman Colley Billie and Miccosukee Indian School Principal Manuel Varela for this unprecedented achievement.

These new standards will not only help the children of the Miccosukee tribe, but will pave the way for future work with other tribes.

Chairman Billie and I have been in conversations about establishing a 5000 Role Models of Excellence Project at the Miccosukee Indian School. It is our hope to make it a part of the My Brother's Keeper initiative.

Congratulations Chairman Colley Billie and the Miccosukee Indian School. Congratulations to all of the generations of Miccosukee children yet to be born. This school will make a huge impact on your lives.

HONORING MR. TONY FRANSETTA

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. DEUTCH. Mr. Speaker, I rise today in honor of Tony Fransetta who is retiring as the founding President of the Florida Alliance for Retired Americans. Mr. Fransetta's thoughtfulness and devotion to addressing the needs of senior citizens has made him a trusted voice for seniors in my community and throughout Florida, and I laud his continued work on behalf of our nation's retired and aging communities.

Mr. Fransetta's efforts to support labor rights began during his work with the Ford Motor Company following his service in the U.S. Navy during the Korean War. At Ford, Mr. Fransetta served as a leader for the United Auto Workers and represented 15,000 employees negotiating contracts and chairing programs such as quality control, insurance benefits, drug treatment, and employee education.

Following his retirement from Ford in 1990, Mr. Fransetta joined the National Council of Senior Citizens and was pivotal in transforming the council into the Florida Alliance for Retired Americans in 2002. For over 13 years, Mr. Fransetta has dedicated himself to advocating on behalf of aging Americans and has received many accolades for his tireless work, including a lifetime achievement award from the national Alliance for Retired Americans and the honor of being appointed as a delegate to the White House Conference on Aging in 2005.

Mr. Fransetta's passion to civic service is reflected as well in his work as the chairman for the local area Auto Retiree Council, the chairman of the U.A.W. Florida Retiree C.A.P., which represents 26,000 retirees in Florida, the Vice President of the Executive Board, A.F.L.–C.I.O. State of Florida, and a General Policy Board Member for the national Alliance for Retired Americans.

The amount of time and effort Mr. Fransetta has expended for the betterment of his community is truly admirable and exhibits a level of passion worthy of recognition. It is with great pleasure that I honor my dear friend, Tony Fransetta and I know that his passionate advocacy will continue to inspire Floridians to live by his example.

PERSONAL EXPLANATION

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. KIND. Mr. Speaker, I was unable to have my votes recorded on the House floor on Monday, June 1, 2015. Weather across the Midwest and eastern seaboard delayed my flight to Washington, DC until after votes had been called. Had I been present, I would have voted in favor of the Dingell Amendment (Roll no. 264) and the Lowenthal Amendment (Roll no. 265). I would have voted against H.R. 1335 (Roll no. 267).

RECOGNIZING JAYNE BACON GARRISON

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. MEEHAN. Mr. Speaker, I rise today to recognize a lifelong servant of Pennsylvania.

Jayne Bacon Garrison began serving her community in 1955, helping prepare Delaware County students to enter the workforce at the Pennsylvania Institute of Technology, an accredited junior college founded by her husband, Walter. Together, Jayne and Walter have built P.I.T. into the school it is today, with 800 students and more than 150 faculty members. Jayne continues to serve as the school's Chief Operating Officer and a member of its Board of Trustees.

But Jayne's contributions to her community expand far beyond P.I.T. She's long been active in a wide variety of philanthropic endeavors, including the Boy and Girl Scouts of America, the American Red Cross, the Delaware County Historical Society and the Elwyn Foundation. Jayne has focused particularly on serving our veterans, aiding efforts to ease their transition to civilian life.

Over the years, Jayne has been recognized by many organizations for her persistence and dedication. Last week, she added to that list as she received the 30th Anniversary Pearl Award from the Delaware County Women's Commission. It's a fine honor, and one she well deserves.

THE OCCASION OF THE 100TH ANNIVERSARY OF HOLY TRINITY GREEK ORTHODOX CATHEDRAL

HON. MARCY KAPTUR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Ms. KAPTUR. Mr. Speaker, I rise today to recognize a very important milestone in the life of a church community in my District. Exactly 100 years ago today, Holy Trinity Greek Orthodox Church was incorporated. On June 27, 2015, His Eminence Archbishop Demetrios, Primate of the Greek Orthodox Church of America, will lead the congregation and our community in Holy liturgy to celebrate the occasion.

Toledo, Ohio rose up as a city of immigrants. The city's Greek Americans arrived in Toledo in ever increasing numbers as the 20th Century dawned. These early settlers recognized the need to establish a church community. Bonded through faith and tradition, the community had been holding services in different locations in North Toledo. Upon incorporation, the move to build a church of their own began in earnest. In October of 1915 a house was purchased on the same lot on which the current church still stands. The remodeled house served as the church until a new church building was constructed. A splendid building in a Byzantine style, the church is truly magnificent. On Christmas Day 1920, the Divine Liturgy was celebrated for the first time in Holy Trinity Greek Orthodox Church.

The Cathedral itself serves to anchor the heart of Toledo in its near north end. Along the Cathedral's perimeter, visitors from near and far are welcomed to Toledo in sculpted letters carved into the landscape and a light shines forth from its entry foyer both day and night. Holy Trinity's congregants have built an institution worthy of its founders and vital to our community's character.

Through the coming decades the church community grew. Even in the hardship years of Depression and Wars, the members of the

church soldiered on. They sacrificed and prayed and the church thrived. As the years continued and the church grew, the Greek American Progressive Association organized a chapter named Parmenides Lodge No. 136, auxiliaries were formed, and federations including Pan-Arcadian, Tenedian, Cretan, Samian, Corinthian, and Sterea-Elias came together to preserve the culture. The ladies of the church organized under the Holy Trinity Greek Orthodox Ladies Philoptochos Society. The Daughters of Penelope reactivated Dodona Chapter No. 24. World War II brought the formation of chapters of the Greek War Relief Association to help those suffering in Greece.

The post-war years saw progressive leadership and a renewed spiritual activity. Choir and Sunday School were re-energized, The Hellenic Youth Organization was formed followed by the Greek Orthodox Youth of America. This time also brought a realization of the need for new church structures. Ground was broken in October 1951 for a new Education Building which was dedicated on September 13, 1953. In 1958, adjacent land was purchased. Improvements continued in the church culminating in a major renovation in 1966. The newly refurbished church was consecrated on May 22, 1966. With this consecration, a dream conceived so many years before became a reality.

Holy Trinity Greek Orthodox Church continued to grow and has been woven into the fabric of our community. It remains in Toledo's older North End near downtown and draws our entire community to its renowned festival each September. In 1987, the parish was elevated to a Cathedral. As the 20th century came to a close and a new century dawned, Holy Trinity Greek Orthodox Cathedral and its members remained integral to Toledo. Today, Holy Trinity Greek Orthodox Cathedral serves 450 families. The cathedral is part of the Metropolis of Detroit, of the Greek Orthodox Archdiocese of America, of the Ecumenical Patriarchate. It serves as a beacon of light to the faithful and fulfills the promise in Ephesians 2:20–22, ''Built on the foundation of the apostles and prophets, Christ Jesus himself being the cornerstone, in whom the whole structure, being joined together, grows into a holy temple in the Lord. In him you also are being built together into a dwelling place for God by the Spirit.'' I join with the members of Holy Trinity Greek Orthodox Cathedral as well as our larger community in celebrating a century of faith.

HONORING THE 45TH ANNIVERSARY OF THE SANTA BARBARA AND VENTURA COLLEGES OF LAW

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Ms. BROWNLEY of California. Mr. Speaker, today I rise to recognize and congratulate the Santa Barbara and Ventura Colleges of Law for their many years of outstanding leadership in education and remarkable services to the Central Coast community.

The Santa Barbara and Ventura Colleges of Law have educated over 1,800 graduates who today serve in leadership positions in legal practice, government, business and non-profit organizations.

For over 45 years, the Santa Barbara and Ventura Colleges of Law have provided numerous opportunities and access to legal training in the practice of law through its Juris Doctor and Master of Legal Training degree programs. Through legal clinics, public service programs, and the work of its students as interns for governmental entities and non-profit organizations, the Colleges of Law have further reinforced the rule of law and access to legal services. Furthermore, these colleges have been active stewards of the community by providing space, sponsorship and support for local law-related activities, including those of judiciary, bar associations, bar foundations, schools and other groups throughout the region.

On the occasion of its 45th anniversary, it is my sincere pleasure to honor the Santa Barbara and Ventura Colleges of Law for its contributions to academic excellence in the teaching of law and to the service and community leadership provided by its graduates.

A TRIBUTE TO ERIN HAMMOND

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate an accomplished Iowa high school graduate, Erin Hammond of Polk City, Iowa, as she prepares to embark on a journey overseas to fight hunger and help those who are most in need.

The World Food Prize Borlaug-Ruan International Internship Program offers a number of Iowa high school graduates the opportunity to travel overseas and participate in efforts to fight hunger in Africa, Asia, Latin America, and the Middle East. This program was created by Dr. Norman Borlaug and John Ruan, Sr., to create interest in the agricultural sciences and give young people valuable experience in global food security jobs and research.

Erin will be spending her time at the SM Sehgal Foundation in Gurgaon, India. She will be conducting research on nonprofit organizations and how to optimize the benefits they provide to those who are less fortunate. Erin's passion for helping others is what inspired her to apply for this program.

It is with great pride that I recognize and congratulate Erin as she celebrates this great accomplishment. I commend her for her hard work and dedication to ending world hunger and her commitment to improving the lives of others. I wish her nothing but the best moving forward.

HONORING BOB DICKERSON

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. REICHERT. Mr. Speaker, today I rise to honor the life of an amazing Washingtonian—Bob Dickerson. Bob died of cancer last week, something he had been dealing with for years, but, during all the ups and downs, that was never what defined him. Instead, he was a champion for those in need. Bob volunteered with the RESULTS organization, which works to reduce poverty and child mortality. Bob's advocacy was unparalleled; I met with him many times, both in my district office and in DC. Each time, I was impressed and humbled by his passion for helping others, by his commitment to service. He had a heart for the world, doing everything within his power to improve the lives of each and every person in this world. My prayers are with Bob's family and the RESULTS team as they learn to live with Bob's memory rather than his person, and I suggest to all of us, that we take Bob's passion and service to heart, and put it before us as an example.

A TRIBUTE TO SAMANTHA MAGNUSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize the outstanding commitment Samantha Magnuson demonstrates to her community of McClelland, Iowa. Samantha and her family have deep roots in McClelland. She has a strong record of volunteer service to her community by helping with the annual City-Wide Cleanup Day, the Children's Easter Egg Hunt and Halloween Party, and assisting with the Christmas program, along with many other activities throughout the year.

Samantha will be graduating this year from Underwood High School in Underwood, Iowa. She has been awarded the $16,000 First Generation Scholarship from the Iowa West Foundation. She is planning to attend Iowa Western Community College and focus on a general education. Her future plan is to pursue a degree in engineering.

Samantha Magnuson is an active member of her community and is making a difference by helping others. It is with great honor that I recognize her today. I know that my colleagues in the House join me in honoring her accomplishments. I thank her for her service to the McClelland, Iowa community and wish her and her family all the best moving forward.

TRIBUTE TO ED BORCHERDT

HON. BARBARA COMSTOCK

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mrs. COMSTOCK. Mr. Speaker, I rise to honor the life of Ed Borcherdt. He was a leader and entrepreneur. Mr. Borcherdt attended Stanford University and received his BA and MBA there. He was the president of his own company, Borcherdt & Co.

Mr. Borcherdt served his country as a USMC Infantry Officer during the Korean War and later became a founding and vital member of the Korean War Veterans Memorial Foundation. He also served on the board of the Devil Pups Youth Program for America. Mr. Borcherdt was twice appointed by President Reagan to serve on the Board of Visitors of the Naval Academy.

As Chairman of the Great Falls Memorial Committee, Mr. Borcherdt tremendously helped his community. Previously, he was the President of the McLean Rotary Club and founded and served as the President of the Northern Virginia Brittany Club.

Mr. Borcherdt, known for his optimism, emphasized his motto: ''onward and upward''. He will also truly be remembered for his countless and endless service to his county and his community. I am confident that his passion and love for his country will serve as an inspiration for millions of people.

A TRIBUTE TO RICHARD AND JOAN MADISON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Richard and Joan Madison on the very special occasion of their 60th wedding anniversary.

Richard and Joan's lifelong commitment to each other and to their many children and grandchildren truly embodies our Iowan values. I salute this devoted couple on their 60th year together and I wish them many more. I know my colleagues in the United States House of Representatives will join me in congratulating them on this momentous occasion.

RECOGNIZING THE LIFE AND LEGACY OF ARCELLE DANESE THOMAS

HON. NORMA J. TORRES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mrs. TORRES. Mr. Speaker, I rise today to honor Arcelle Danese Thomas, who passed away peacefully on April 7, 2015, at the age of 99.

Arcelle moved to Los Angeles in 1937, and remained a resident of the county for the rest of her life. After graduating from California State University Los Angeles, she worked as a teacher for the Los Angeles Unified School District and spent 30 years teaching children general education at South Park Elementary School. Outside of the classroom, Arcelle worked to improve childhood education by serving as the President of the American Childhood Education Institute.

An active member of the community, Arcelle became a lifetime member of the Alpha Kappa Alpha sorority. Even in her later years, she led her senior citizen's center community group, which further demonstrates her initiative and commendable leadership qualities.

Arcelle was one of ten brothers and sisters. While she was born in Albuquerque, New Mexico, she spent the majority of her life in Southern California where she raised a family with her husband of 63 years. She is survived by her sister, daughter, and loving grandchildren.

For her contributions to the community and for her many other achievements, I would like to honor Arcelle Danese Thomas and her family.

A TRIBUTE TO DON AND JOANNE JORGENSEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Don and Joanne Jorgensen on the very special occasion of their 65th wedding anniversary.

Don and Joanne were married on April 9, 1950. Their lifelong commitment to each other and their family truly embodies our Iowan values. I salute this devoted couple on their 65th year together and I wish them many more. I know my colleagues in the House of Representatives will join me in congratulating them on this momentous occasion.

A TRIBUTE TO THE ENDURING U.S./TAIWAN FRIENDSHIP

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to call for greater support for closer U.S./Taiwan relationship. Taiwan is an important economic and security partner, and as an advanced industrial economy, has much to contribute to the world. I would also like to take this opportunity to share a speech entitled ''True Friendship Lasts Forever'' addressed by Taiwan President Ma Ying-jeou on June 2, 2015, at a video conference at Stanford University. In his speech, President Ma delineated the importance of future cooperation opportunities between our two countries. Below is the summary of President Ma's speech. For the full transcript, please visit the website of the office of the President of the Republic of China: http://www.president.gov.tw.

Summary of President Ma's remarks:

''This year marks the 70th anniversary of the end of World War II. In July 1937, two years before WWII broke out, ROC forces began fighting against Japanese aggression alone, and for four long years, they continued with virtually no outside help. It wasn't until the Pearl Harbor attack in December 1941 that the ROC joined forces with the Allies to declare war against Japan, Germany, and Italy.

The United States proved to be a staunch friend. The most notable example of that friendship was the American Volunteer Group (AVG), organized in 1941 even before the Pearl Harbor attack, a group that became legendary by their nickname: The Flying Tigers.

During the Cold War period following World War II, the friendship between the ROC and the U.S. flourished, as the U.S. continued to help us militarily while providing economic assistance. Between 1950 and 1965, that assistance included U.S. $1.5 billion in economic aid, which is probably worth at least 12 billion now.

Although the ROC and U.S. severed diplomatic ties in 1979, barely three months later, the U.S. Congress passed the Taiwan Relations Act (TRA). Under that Act, Taiwan is treated as a foreign government for purposes of U.S. law and in U.S. courts. The Act also requires the U.S. to provide Taiwan with defensive weapons.

Since I came into office in 2008, mutual ROC-U.S. trust has been restored at the highest levels of government. And over the past two years, there have been frequent, reciprocal visits by high-level officials.

In April of last year, U.S. Environmental Protection Agency Administrator Gina McCarthy visited Taiwan, and Charles Rivkin, Assistant Secretary of State for Economic and Business Affairs is visiting Taiwan now. At the same time, heads of various ROC government agencies have visited the U.S., so there is a solid foundation of mutual trust there.

The ROC is also gaining more support in Congress. Just last month during deliberations on the National Defense Authorization Act (NDAA) for Fiscal Year 2016, the House and Senate Armed Services Committees both passed initiatives that call for increased U.S.-ROC military exchanges.

In addition to strong security ties, Taiwan-U.S. trade relations have also made significant progress over the last few years. In March of 2013, after a five-year hiatus, we reopened negotiations with the U.S. under the Trade and Investment Framework Agreement (TIFA), a platform set up in 1994 to facilitate talks in trade and investment matters. We have continued bilateral consultations in a series of 12 work conferences, and have made significant progress. As of the end of this March, the ROC is America's 10th largest trading partner, surpassing Brazil and Saudi Arabia, and the U.S. is Taiwan's third largest, after mainland China and Japan.

Let me turn to cross-strait relations. Over the past seven years, Taiwan and mainland China have signed 21 agreements. In April last year, U.S. Assistant Secretary of State for East Asian and Pacific Affairs Daniel Russel said in Congress that ''As a general matter, we very much welcome and applaud the extraordinary progress that has occurred in cross-strait relations under the Ma administration.''

In addition to seeking stable development in cross-strait and ROC-U.S. relations, Taiwan has also taken concrete actions over the past few years to be a regional peacemaker in both the East China Sea, and the South China Sea. Back in August of 2012, I proposed the East China Sea Peace Initiative. That Initiative asks stakeholders to forgo conflict in favor of peaceful negotiations, and emphasizes cooperation in sharing resources. Eight months later in April of 2013, Taiwan and Japan signed a fisheries agreement that embodies the spirit of that Initiative, and solved a fisheries dispute between Taiwan and Japan that has troubled both countries for 40 years. Secretary of State John Kerry has publicly stated that the ROC-Japan fisheries agreement is a model for promoting regional stability, and that the principles at the heart of the East China Sea Peace Initiative apply to all of the waters in Asia.

On the 26th of last month, I formally announced the South China Sea Peace Initiative, hoping that the relevant parties will: ''shelve sovereignty dispute, pursue peace and reciprocity, and promote joint exploration and development.'' By upholding those principles, we hope that all the parties involved will work together to maintain regional peace and promote regional development. Immediately, a U.S. State Department official stated that the

U.S. appreciates the proposals in the South China Sea Peace Initiative. I sincerely hope that all of the outstanding scholars and experts gathered here will support the pursuit of peace that I've presented today.''

Mr. Speaker, I highly recommend that all of my colleagues review President Ma's important remarks and that we continue to work to strengthen the bonds of friendship between the people of the United States and of the ROC.

A TRIBUTE TO ERICKA ABELL

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Ericka Abell for being awarded the Hawkeye 10 All-Conference Character Award.

Ericka was selected for this honor because of the exceptional character she displayed throughout her years at Creston High School. This award is only given to students who demonstrate good character in Trustworthiness, Respect, Responsibility, Fairness, Caring, Citizenship, Overcoming Obstacles, Making Difficult Choices, Generosity, Self-Sacrifice, and Community Service. She is the daughter of Scott and Mendy Abell of Cromwell, Iowa.

It is with great pride that I represent outstanding Iowans like Ericka in the U.S. House of Representatives. I know that all of my colleagues in the House join me in congratulating her on being recognized with this award. I wish her and her family nothing but the best moving forward.

HONORING THE 50TH ANNIVERSARY OF THE CHANNEL ISLANDS HARBOR

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Ms. BROWNLEY of California. Mr. Speaker, today I rise to recognize Channel Islands Harbor on the occasion of the harbor's 50th anniversary as a premier harbor along the Central Coast.

In the 1940's, the United States Congress directed the U.S. Army Corps of Engineers to address the issue of beach erosion affecting the Naval Bases on the Ventura County coast, as well as communities and wetlands south of Port Hueneme. A location was recommended by the U.S. Army Corps of Engineers for a sand trap and breakwater in Hollywood by the Sea, and authorized by Congress in 1954.

Construction of the sand trap and entrance to Channel Islands Harbor began in 1959 for the purpose of preventing coastal erosion and providing boating and other recreational opportunities to residents of Ventura County. The development of Channel Islands Harbor was an example of cooperation among the U.S. Army Corps of Engineers, the U.S. Navy, the County of Ventura, and businesses investing in the harbor. That cooperation continues to this day.

Since the County of Ventura held the grand opening of the harbor in May of 1965, Channel Islands Harbor has been serving the citizens of Ventura County and visitors alike as the first recreational harbor in the region. Visitors can enjoy numerous outdoor venues including several beach-lined parks and coastline for picnics and surfing, as well as nearby biking and walking paths. The harbor offers a number of restaurants and a diverse collection of shops to stroll.

For fishing enthusiasts, there are sport fishing excursions throughout the year. And from December through April, daily tours can offer a glimpse at the majestic whales that traverse the waters off our coastline. The harbor is also a departure point for voyages of exploration to the remarkable Channel Islands.

Though initial development included only a small portion of the current harbor area, Channel Islands Harbor now includes over 300 acres of land and water, including 2,200 boat slips, two hotels, two yacht club buildings, two boat yards, three shopping areas, two free-standing restaurants, a Maritime Museum, and over 100 condominiums and 400 apartments, providing both a thriving community and a recreational destination along the Central Coast of California.

For these reasons, it is my sincere pleasure to offer my congratulations to the Channel Islands Harbor on its 50th anniversary and its countless contributions to the region.

A TRIBUTE TO GARY BUCKLIN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize Mr. Gary Bucklin for a wonderful career as KSIB radio's sports director in Creston, Iowa.

For the past 30 years, Gary has been the man on the microphone for all local sports coverage on KSIB radio. He received his first job in broadcasting announcing the fourth grade talent show in his hometown of Bayard, Iowa, and by driving the streets of Bayard in a speaker car announcing the grand opening for a local gas station. Since that time, Bucklin served in the Air Force during the Vietnam War, worked in retail, but always retained the radio ''bug''. He came to work for KSIB in 1985, becoming a part of not only the Creston community, but of every community in the area where he would broadcast their ballgames. He will be remembered for his deep commitment to the communities, the coaches and the students he so passionately spoke about.

I know that my colleagues in the U.S. House of Representatives join me in congratulating Mr. Gary Bucklin on his well-deserved retirement and wish him the best in his future endeavors. I consider it an honor to represent him in Congress.

JOSEPH C. BELL TRIBUTE

HON. JOSEPH P. KENNEDY, III

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. KENNEDY. Mr. Speaker, I rise to pay tribute today to Joseph C. Bell, a visionary attorney who recently received one of Poland's highest awards in recognition of his efforts to build a new economy from the rubble of communism.

Mr. Bell received the Polish Commanders Cross in Warsaw on May 13, 2015, to honor his dedicated service, over a quarter century ago, ''in furthering Poland's systemic and economic transformation.'' Working with the Polish Ministry of Finance under Leszek Balcerowicz, Mr. Bell stepped forward to help build a new and robust free-market system in the wake of the 1989 elections that saw Solidarity leader Tadeusz Mazowiecki named prime minister.

The goal under the first non-communist government in the post-World War II period was to accomplish what had never been done before—to build new capitalist institutions in record time to stir the Polish economy from decades of mismanagement and integrate the nation into the economies of Western Europe.

As a partner at the Washington firm of Hogan & Hartson with over 20 years of regulatory and commercial experience, Mr. Bell ably served as pro-bono counsel to the Polish Ministry of Finance in the critical years of 1989 to 1990, when the government launched reforms through ''shock therapy'' changes to Poland's economic system.

His experience in project finance and as a leading advocate of introducing competition into closed energy markets in the U.S. was invaluable in taking on the challenges of creating capital markets, a stock exchange, a convertible currency, orderly privatization and other features of a free-market system. The rapidity and scope of the changes were nothing less than a leap of faith into uncharted legal and economic waters.

The challenges were immense: Poland was suffering acute hyperinflation, falling productivity, huge foreign debt and shortages of consumer goods. As part of an intrepid team of advisers that included economist Jeffrey Sachs, Mr. Bell's tireless work helped usher in breathtaking reforms that stemmed inflation, attracted foreign investment, relieved Poland of its debt burden, and increased productivity.

The miracle turnaround of Poland's economy, coupled with the rise of democracy, paved the way for the nation to secure NATO membership and join the European Union.

Mr. Bell returned full-time to his law practice in Washington, D.C., in 1990 but that didn't end his commitment to helping emerging nations. His expertise has taken him to Mongolia, Liberia, Sao Tome & Principe, among others, to help structure extraction systems that work for the benefit of the many rather than enriching the few.

Currently serving Of Counsel to Hogan Lovells, Mr. Bell's work to shape mining and energy policy in Africa, Asia, and the Mideast—including the management of extraction revenues and general issues of transparency and governance—will have a lasting impact.

Mr. Bell's career milestones also include serving as general counsel to Citizens Energy Corporation, which my father founded to use successful energy ventures to generate revenues to help the poor, from its inception up to 1989; working as Assistant General Counsel in the Federal Energy Administration; serving on the Duke Law School faculty and as an attorney in the Antitrust Division of the U.S. Justice Department.

Since 2001, the 1968 Yale Law School graduate has also been associated with the

International Senior Lawyers Project, which provides volunteer legal services to promote the rule of law, economic development and human rights in developing countries.

Between his legal expertise, dedication to public service, advocacy for human rights and social justice, and broad range of volunteer experience, Mr. Bell embodies the tradition of the ''Wise Men of Washington''—in the best sense of the term.

Mr. Speaker, I once again want to congratulate Mr. Bell for the honors accorded to him by the Polish government and to thank him for a long career of service to our nation and the international community.

A TRIBUTE TO ASHLEY HARRIS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Ashley Harris for being awarded the Hawkeye 10 Conference Academic All-Conference Award.

Ashley was selected for this honor because of her commitment to academic excellence, maintaining a high grade point average throughout all four years of her education at Creston High School. She also received a 29 or higher on her ACT. Ashley is the daughter of Rod and Becky Harris of Creston, Iowa.

It is with great pride that I represent Iowans like Ashley in the U.S. House of Representatives. I know that all of my colleagues in the House join me in congratulating her for being recognized with this award. I wish her and her family nothing but continued success in the future.

AZERBAIJAN

HON. GENE GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today to call to the attention of my colleagues the 97th Anniversary of the Republic Day of Azerbaijan.

Republic Day celebrates Azerbaijan's declaration of its independence from the Russian Empire on May 28, 1918, becoming the region's first Muslim democratic secular republic in Central Asia.

While that independence was short lived, from 1918–1920, the young Democratic Republic of Azerbaijan made tremendous strides, granting women the right to vote long before most Western democracies and laying the foundation for architecture and formal educational for future Azeris.

Two years after independence, Azerbaijan was occupied by the Soviet Union, losing the hard-won independence, and was forced to become a republic in the U.S.S.R. In 1990, as the U.S.S.R. crumbled, Azerbaijan regained its independence from the Soviets after seventy years. On August 30, 1991, Azerbaijan's Parliament restored their nation's independence for the second time in a century, and weeks later, adopted their Constitution.

A valuable international ally, Azerbaijan was among the first nations offering unconditional support to the United States in the war against al Qaeda, having provided a safe transit route to resupply our troops in Afghanistan. Azerbaijan leads the Central Asian area in regional economic cooperation, and is a crucial in European energy security matters.

Mr. Speaker, I ask the House to join me in thanking the people of Azerbaijan for their friendship, and in congratulating Azerbaijanis around the world on the anniversary of Republic Day.

A TRIBUTE TO THE BETH EL JACOB SYNAGOGUE

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate a great Iowa Synagogue, Beth El Jacob Synagogue in Des Moines, Iowa, as they celebrate the incoming of their New Torah.

Originally formed in 1881, Beth El Jacob Synagogue was created by a group of Lithuanian Jews. The first permanent congregation started in 1885 at the corner of East Second and Walnut Street in Des Moines. Throughout the early 1900s Beth El Jacob called a number of locations in Des Moines home. It wasn't until the mid-1900s that the congregation built their permanent location, the Beth El Jacob Synagogue.

It is with great pride that I recognize Beth El Jacob Synagogue today as they celebrate this momentous occasion. I commend them for their support to the Des Moines community and their commitment to improving the lives of others. I wish the entire staff and congregation nothing but the best moving forward.

RECOGNIZING DR. TRUDY TUTTLE ARRIAGA

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Ms. BROWNLEY of California. Mr. Speaker, today I rise to recognize Dr. Trudy Tuttle Arriaga, a supportive, encouraging, and inspirational educational leader and advocate in Ventura, California.

After earning a Bachelor's and Master's degree, teaching credentials, and a Doctorate from the University of Southern California, Dr. Arriaga worked as a paraeducator at Ventura Unified School District for two years beginning in 1974. She returned to Ventura Unified in 1981 to begin her teaching career. She taught special education at Mound Elementary School and from there transferred to Balboa Middle School where she taught general education and the deaf/hard of hearing program. She then became an itinerant teacher specialist at Elmhurst and Loma Vista Elementary Schools. Dr. Arriaga continued her career as a teacher and assistant principal at De Anza Middle School and later became principal at Sheridan Way Elementary School. She also served as principal at El Camino High School and Pacific High School. In July of 2001, Dr. Arriaga became the superintendent of the Ventura Unified School District, becoming the first woman to serve in the position.

During her tenure as superintendent, Dr. Arriaga was able to enhance the quality of education at the district. Seventeen of Ventura Unified School District's 27 schools have achieved an API score of 800 or above, dropout rates throughout the district have decreased as attendance rates have increased. She also brought a focus on schools of choice and helped new elementary and middle schools focus on Science Technology Engineering and Mathematics (STEM), leadership and the arts. Dr. Arriaga also brought a dual language program to the district and greatly encouraged the program. Now, many students are learning new languages and graduating with a multilingual seal.

For over three decades, Dr. Arriaga has dedicated her career to the education and academic success of countless students. She is a passionate advocate for children and continually demonstrates her support and encouragement of students. When making important decisions, Dr. Arriaga considers every angle, striving for the most beneficial solutions.

Following her retirement from Ventura Unified School District, Dr. Arriaga will continue her service and work for students and education at California Lutheran University, where she will soon serve as a full time instructor and as the administrator of the Education Leadership Doctoral and Master's Program. She has also accepted a contract from Corwin Press Publications and will be co-authoring a book on cultural proficiency.

Dr. Arriaga's passion for education for all students is unquestionable, and it is my sincere pleasure to join the Ventura Unified School District in honoring Dr. Trudy Tuttle Arriaga for her 35 years of dedication, passion, leadership and service for the students and community of Ventura. I wish her all the best in her future endeavors.

A TRIBUTE TO JEFF HARMSEN

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize the outstanding heroism displayed by Jeff Harmsen, of Des Moines, Iowa.

In the early morning hours of May 8, 2015, Mr. Harmsen was taking his normal morning commute when out of the corner of his eye he noticed his longtime neighbors home up in flames. Without hesitation, he parked his vehicle and ran to the backside of the home. It was then that he dialed 911 and made his first attempt at alerting the homeowners. He proceeded to pound on the home's door, successfully alerting the owners inside. Because of his heroics he was able to safely rescue his neighbors and their pets without any serious injuries.

I would like to thank Mr. Harmsen for this selfless act and I ask my colleagues to join me recognizing his heroics and bravery. I'm proud to represent Iowans like Mr. Harmsen in the U.S. House of Representatives and I wish him nothing but continued success in the future.

A TRIBUTE TO NEIL McCOY

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate Mr. Neil McCoy of Villisca, Iowa, for being selected as the recipient of the 2015 Iowa 4–H Hall of Fame Award. Iowa State 4–H and the Iowa 4–H Foundation sponsor the 4–H Hall of Fame recognition award for volunteers and staff who have selflessly given their time and talents in promoting the Iowa 4–H program.

Mr. McCoy has been an active member within 4–H throughout his distinguished career. He served as Page County Boys 4–H President in 1967. After graduating from high school, Mr. McCoy attended Iowa State University and returned to Page County to farm with his father. That is when he began volunteering with the 4–H program. He is a Page County Honorary 4–H member and a supporter of the Iowa 4–H Foundation 400 Club.

4–H has been a long tradition in the McCoy family. Mr. McCoy's passion for 4–H is derived from his grandfather Ralph and his father Malcolm who played major roles in his devotion to 4–H. Mr. McCoy has enjoyed the many pleasures of helping his children Jeromy, Katina, and Dustin participate in 4–H activities. He says his success in 4–H comes from the support he has had from his wife, Becky, and attributes his accomplishments to her unwavering support. Their family has shared many special memories through their years of involvement in 4–H.

Mr. McCoy is an Iowan who has made a difference and makes our state proud. He has dedicated his life to helping young people in 4–H and serving his community. It is with great honor that I recognize and congratulate him today. I know my colleagues in the House join me in honoring his accomplishments. I thank him for his service and wish him and his family all the best moving forward.

LAQUITTA DeMERCHANT COMMUNITY IMPACT AWARD

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Laquitta DeMerchant for receiving one of the World Youth Foundation's 2015 Community Impact Award thanks to her work as CEO of Fuzion Apps and dedication to her community.

Ms. DeMerchant has numerous accomplishments and shows tremendous enthusiasm for her community. She won the Women Innovation Mobile Award and the grand prize in the Department of Labor's Equal Pay App Challenge. Laquitta speaks at universities and high schools around the Houston area to increase awareness of wage gap issues and supports initiatives for working families. Laquitta also mentors young programmers and software developers in competitions throughout the nation. A member of her team at the Essence Festival YESWECODE hackathon went on to win the biggest international impact award for developing an anti-human trafficking app. We are proud of her accomplishments on behalf of our community.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Laquitta DeMerchant for receiving the Community Impact Award. We appreciate your dedication to strengthening our community.

ALLIANCE WORLD CHAMPS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate Clear Creek Independent School District's (CCISD) robotics team and their robot, Empire, for being named Alliance World Champs at the For Inspiration and Recognition of Science and Technology (FIRST) Robotics Competition Championship.

The Robonauts is made up of students of all ages from around CCISD. Together these students worked hand in hand with mentors from NASA's Johnson Space Center to build their robot, Empire. The team travelled to St. Louis where they competed against 600 other engineering teams from around the globe. The Robonauts really had to put their engineering skills to the test. In St. Louis, Empire succeeded in each competition, allowing the Robonauts to take home first place. Congratulations to all of Robonauts' team members and mentors for their victory. We are excited to see all that you accomplish in the future.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to the CCISD Robonauts for being crowned the Alliance World Champs.

COMMEMORATING THE 95TH ANNIVERSARY OF THE JONES ACT

HON. DEREK KILMER

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. KILMER. Mr. Speaker, I rise today to recognize an important milestone in maritime history.

On June 5, 1920, the landmark Merchant Marine Act became law, establishing the importance of maintaining a strong domestic maritime fleet.

That law, known as the Jones Act, was the anchor that allowed the United States to launch a highly trained and skilled group of mariners who can serve to protect our nation in times of national emergency. It supports our shipyard industrial base and preserves our capacity to defend our homeland, patrol the seas, and promote American jobs.

Ninety-five years later, it's clear that the Jones Act has stood the test of time.

General Paul J. Selva, the Commander of U.S. Transportation Command, recently said, ''I can stand before any group as a military leader and say without the contribution that the Jones Act brings to the support of our industry there is a direct threat to national defense, and I will not be bashful about saying it and I will not be silent.''

I couldn't agree more.

General Selva doesn't stand alone in defending the Jones Act from its critics.

In fact, Congress passed one of the strongest statements of support for the Jones Act last year as part of the National Defense Authorization Act, recognizing that it promotes ''a strong domestic trade maritime industry, which supports the national security and economic vitality of the United States and the efficient operation of the United States transportation system.''

Mr. Speaker, I look forward to working with my colleagues to maintain the Jones Act for a new century, fight for our domestic maritime industry, and make sure that high quality, American-made vessels are being piloted by American mariners.

KATY HIGH SCHOOL SOFTBALL STATE CHAMPIONS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate the Katy High School Lady Tiger softball team for winning the Texas 6A State Championship. This incredible team is now the best in Texas!

With a young team, the Lady Tigers had a lot to prove. The team reached the second round of the playoffs last season and was determined to perform better this season. This resilient team certainly rose to the challenge this season. In the state tournament, the Lady Tigers ousted the powerhouses of Alvin, Brazoswood, and The Woodlands before defeating Lewisville in the championship game. We are proud of the entire team and coaching staff for their immense dedication to each other and to the sport.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Head Coach Kalum Haack and the Katy High School Lady Tigers softball team on their State Championship. Thank you for bringing the gold back home to Katy.

TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

SPEECH OF

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 3, 2015

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2577) making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, and for other purposes:

Ms. SCHAKOWSKY. Mr. Chair, I rise today to express my strong opposition to H.R. 2577, the Transportation, Housing, and Urban Development Appropriations Act.

This legislation is severely underfunded. Considering declining Federal Housing Administration receipts and increased Section 8 renewal costs, this year's THUD bill is funded at

$1.5 billion below last year's level. The overall appropriations levels for all domestic discretionary programs and priorities is lower than at any point in more than a decade. That is the root cause of the problem, and until the reckless budget sequester is lifted, the priorities that Americans care about will not get the support they need. We must end sequestration now.

But the specific cuts in this bill are also a concern. H.R. 2577 imposes devastating cuts on housing priorities. It would impose a more than 10 percent cut in public housing management. It would also significantly underfund supportive housing for seniors, with that funding below last year's level and almost 10 percent below the President's request. Those cuts will have devastating impacts on Americans struggling to make ends meet.

As has been highlighted by many of my colleagues, this bill also fails to make rail infrastructure, high speed rail, and positive train control a priority. Experts say that positive train control could have prevented the tragic Amtrak train derailment north of Philadelphia, but Congress continues to shirk its obligation to adequately support it. That failure is inexcusable.

Finally, H.R. 2577 does not make the investment in auto safety oversight that the last year has proven we need. 2014 was the year of the recall, almost doubling the previous record. We're on pace to break the record again this year. Yet, this bill funds the National Highway Traffic Safety Administration—the agency responsible for monitoring and improving auto safety—just 1 percent above last year's level. That is less than inflation. While I supported the amendment my colleague, Rep. MICHAEL BURGESS, successfully added to increase NHTSA funding by $4 million, that is just a drop in the bucket in terms of what is needed. It is also unfortunate that this bill cuts the Office of the Secretary of Transportation—4 percent below last year's level and more than 10 percent below the President's request—in order to slightly increase NHTSA funding. We need to consider legislation like H.R. 1811, the Vehicle Safety Improvement Act, which would more than double NHTSA funding for its important work through a new $3 fee on new vehicles. We need to ramp up resources, authority, and other support for NHTSA in order to significantly improve auto safety and save lives. I will continue to work with Mr. BURGESS and others to get that done.

These are just a handful of the overwhelming number of reasons I oppose H.R. 2577. I am glad that the President has issued a veto threat on the bill, and I will continue to work to ensure that it is never enacted.

NEEDVILLE HIGH SCHOOL STATE SOFTBALL

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 9, 2015

Mr. OLSON. Mr. Speaker, I rise today to congratulate the Needville High School softball team for completing their season as Class 4A Texas State Runners Up.

After a history-making season, the Lady Blue Jays finished strong with a 33–8 record. They were led on and off the field by two outstanding young pitchers, Victoria Moreno and Micayla Orsak, who received great encouragement from Coach Amber Schmidt. The Lady Blue Jays demonstrated immense dedication to the sport and remained motivated throughout the championship game. They fought hard until the very end! We are extremely proud of the entire Needville High School softball team and coaching staff.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to the entire Lady Blue Jays softball team on an incredible season. We look forward to seeing everything this team accomplishes.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3889–S3976

Measures Introduced: Seven bills and three resolutions were introduced, as follows: S. 1528–1534, and S. Res. 195–197. **Page S3925**

Measures Passed:

Collector Car Appreciation Day: Senate agreed to S. Res. 196, designating July 10, 2015, as Collector Car Appreciation Day and recognizing that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States. **Page S3974**

Access to Federally Funded Facilities: Senate agreed to S. Res. 197, recognizing the need to improve physical access to many federally funded facilities for all people of the United States, particularly people with disabilities. **Pages S3974–75**

Grassroots Rural and Small Community Water Systems Assistance Act: Senate passed S. 611, to amend the Safe Drinking Water Act to reauthorize technical assistance to small public water systems. **Page S3975**

Water Resources Research Amendments Act: Senate passed S. 653, to amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act. **Page S3975**

Measures Considered:

National Defense Authorization Act—Agreement: Senate continued consideration of H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, taking action on the following amendments proposed thereto: **Pages S3898–S3921**

Adopted:

McCain (for Hoeven) Amendment No. 1485 (to Amendment No. 1463), to express the sense of the Senate on the nuclear force improvement program of the Air Force. **Pages S3912–13**

McCain (for Heller/Casey) Amendment No. 1510 (to Amendment No. 1463), to require a report on the interoperability between electronic health records systems of the Department of Defense and the Department of Veterans Affairs. **Page S3913**

McCain (for Rounds) Amendment No. 1520 (to Amendment No. 1463), to require the Secretary of Defense to develop a comprehensive plan to support civil authorities in response to cyber attacks by foreign powers. **Page S3913**

McCain (for Wicker) Amendment No. 1538 (to Amendment No. 1463), to allow for improvements to the United States Merchant Marine Academy. **Page S3913**

McCain (for Ernst) Amendment No. 1579 (to Amendment No. 1463), to express the sense of Congress that the Secretary of Defense should maintain and enhance robust military intelligence support to force protection for installations, facilities, and personnel of the Department of Defense and the family members of such personnel. **Page S3913–14**

McCain (for Moran) Amendment No. 1622 (to Amendment No. 1463), to express the sense of Congress on reviewing and considering findings and recommendations of the Council of Governors regarding cyber capabilities of the Armed Forces. **Page S3914**

McCain (for Rubio) Amendment No. 1791 (to Amendment No. 1463), to authorize a land exchange at Navy Outlying Field, Naval Air Station, Whiting Field, Florida. **Page S3914**

Reed (for Udall) Amendment No. 1677 (to Amendment No. 1463), to require the Secretary of Defense to submit information to the Secretary of Veterans Affairs relating to the exposure of members of the Armed Forces to airborne hazards and open burn pits. **Page S3914**

Reed (for Wyden) Amendment No. 1701 (to Amendment No. 1463), to improve the provisions relating to adoption of retired military working dogs. **Page S3914**

Reed (for Stabenow) Amendment No. 1733 (to Amendment No. 1463), to require a report on plans for the use and availability of airfields in the United States for homeland defense missions. **Pages S3914–15**

Reed (for McCaskill) Amendment No. 1739 (to Amendment No. 1463), to require a conflict of interest certification for Inspector General investigations relating to whistleblower retaliation. **Page S3915**

Reed (for Feinstein) Amendment No. 1744 (to Amendment No. 1463), to authorize the Secretary of Veterans Affairs to carry out certain major medical facility projects for which appropriations were made for fiscal year 2015. **Page S3915**

Reed (for Heitkamp) Amendment No. 1781 (to Amendment No. 1463), to improve the report on the strategy to protect United States national security interests in the Arctic region. **Page S3915**

Reed (for Cardin) Amendment No. 1796 (to Amendment No. 1463), to express the sense of the Senate on finding efficiencies within the working capital fund activities of the Department of Defense. **Page S3915**

Rejected:

By 46 yeas to 51 nays (Vote No. 205), Reed Amendment No. 1521 (to Amendment No. 1463), to limit the availability of amounts authorized to be appropriated for overseas contingency operations pending relief from the spending limits under the Budget Control Act of 2011. **Pages S3898–S3905, S3907–10**

Pending:

McCain Amendment No. 1463, in the nature of a substitute. **Page S3898**

McCain Amendment No. 1456 (to Amendment No. 1463), to require additional information supporting long-range plans for construction of naval vessels. **Page S3898**

Cornyn Amendment No. 1486 (to Amendment No. 1463), to require reporting on energy security issues involving Europe and the Russian Federation, and to express the sense of Congress regarding ways the United States could help vulnerable allies and partners with energy security. **Pages S3898, S3905–07**

Vitter Amendment No. 1473 (to Amendment No. 1463), to limit the retirement of Army combat units. **Page S3898**

Markey Amendment No. 1645 (to Amendment No. 1463), to express the sense of Congress that exports of crude oil to United States allies and partners should not be determined to be consistent with the national interest if those exports would increase energy prices in the United States for American consumers or businesses or increase the reliance of the United States on imported oil. **Page S3898**

Reed (for Blumenthal) Amendment No. 1564 (to Amendment No. 1463), to increase civil penalties for violations of the Servicemembers Civil Relief Act. **Page S3898**

McCain (for Paul) Modified Amendment No. 1543 (to Amendment No. 1463), to strengthen employee cost savings suggestions programs within the Federal Government. **Page S3898**

Reed (for Durbin) Modified Amendment No. 1559 (to Amendment No. 1463), to prohibit the award of Department of Defense contracts to inverted domestic corporations. **Page S3898**

McCain (for Burr) Amendment No. 1569 (to Amendment No. 1463), to ensure criminal background checks of employees of the military child care system and providers of child care services and youth program services for military dependents. **Pages S3898, S3915**

Feinstein (for McCain) Amendment No. 1889 (to Amendment No. 1463), to reaffirm the prohibition on torture. **Pages S3910–11**

Fischer/Booker Amendment No. 1825 (to Amendment No. 1463), to authorize appropriations for national security aspects of the Merchant Marine for fiscal years 2016 and 2017. **Pages S3911–12**

Burr/McCain Amendment No. 1921 (to Amendment No. 1569), to improve cybersecurity in the United States through enhanced sharing of information about cybersecurity threats. **Page S3915**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, June 10, 2015. **Page S3976**

Nominations Confirmed: Senate confirmed the following nominations:

3 Army nominations in the rank of general. **Page S3974**

Executive Reports of Committees: **Page S3925**

Additional Cosponsors: **Pages S3925–28**

Statements on Introduced Bills/Resolutions: **Pages S3928–33**

Additional Statements: **Pages S3924–25**

Amendments Submitted: **Pages S3933–74**

Authorities for Committees to Meet: **Page S3974**

Privileges of the Floor: **Page S3974**

Record Votes: One record vote was taken today. (Total—205) **Page S3910**

Adjournment: Senate convened at 10 a.m. and adjourned at 6:34 p.m., until 9:30 a.m. on Wednesday, June 10, 2015. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3976.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Appropriations: Subcommittee on Department of Defense approved for full committee consideration an original bill entitled, "Fiscal Year 2016 Department of Defense Appropriations".

ENERGY ACCOUNTABILITY AND REFORM LEGISLATION

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 15, to amend the Mineral Leasing Act to recognize the authority of States to regulate oil and gas operations and promote American energy security, development, and job creation, S. 454, to amend the Department of Energy High-End Computing Revitalization Act of 2004 to improve the high-end computing research and development program of the Department of Energy, S. 784, to direct the Secretary of Energy to establish microlabs to improve regional engagement with national laboratories, S. 1033, to amend the Department of Energy Organization Act to replace the current requirement for a biennial energy policy plan with a Quadrennial Energy Review, S. 1054, to improve the productivity and energy efficiency of the manufacturing sector by directing the Secretary of Energy, in coordination with the National Academies and other appropriate Federal agencies, to develop a national smart manufacturing plan and to provide assistance to small- and medium-sized manufacturers in implementing smart manufacturing programs, S. 1068, to amend the Federal Power Act to protect the bulk-power system from cyber security threats, S. 1181, to expand the Advanced Technology Vehicle Manufacturing Program to include commercial trucks and United States flagged vessels, to return unspent funds and loan proceeds to the United States Treasury to reduce the national debt, S. 1187, to improve management of the National Laboratories, enhance technology commercialization, facilitate public-private partnerships, S. 1216, to amend the Natural Gas Act to modify a provision relating to civil penalties, S. 1218, to establish an interagency coordination committee or subcommittee with the leadership of the Department of Energy and the Department of the Interior, focused on the nexus between energy and water production, use, and efficiency, S. 1221, to amend the Federal Power Act to require periodic reports on electricity reliability and reliability impact statements for rules affecting the reliable operation of the bulk-power system, S. 1223, to amend the Energy Policy Act of 2005 to improve the loan guarantee program for innovative technologies, S. 1229, to require the Secretary of Energy to submit a plan to implement recommendations to improve interactions between the Department of Energy and National Laboratories, S. 1230, to direct the Secretary of the Interior to establish a program under which the Director of the Bureau of Land Management shall enter into memoranda of understanding with States providing for State oversight of oil and gas productions activities, S. 1241, to provide for the modernization, security, and resiliency of the electric grid, to require the Secretary of Energy to carry out programs for research, development, demonstration, and information-sharing for cybersecurity for the energy sector, S. 1256, to require the Secretary of Energy to establish an energy storage research program, loan program, and technical assistance and grant program, S. 1258, to require the Secretary of Energy to establish a distributed energy loan program and technical assistance and grant program, S. 1259, to establish a grant program to allow National Laboratories to provide vouchers to small business concerns to improve commercialization of technologies developed at National Laboratories and the technology-driven economic impact of commercialization in the regions in which National Laboratories are located, S. 1263, to provide for the establishment of a Clean Energy Technology Manufacturing and Export Assistance Fund to assist United States businesses with exporting clean energy technology products and services, S. 1274, to amend the National Energy Conservation Policy Act to reauthorize Federal agencies to enter into long-term contracts for the acquisition of energy, S. 1275, to establish a Financing Energy Efficient Manufacturing Program in the Department of Energy to provide financial assistance to promote energy efficiency and onsite renewable technologies in manufacturing and industrial facilities, S. 1277, to improve energy savings by the Department of Defense, S. 1293, to establish the Department of Energy as the lead agency for coordinating all requirements under Federal law with respect to eligible clean coal and advanced coal technology generating projects, S. 1306, to amend the Energy Policy Act of 2005 to use existing funding available to further projects that would improve energy efficiency and reduce emissions, S. 1310, to prohibit the Secretary of the Interior from issuing new oil or natural gas production leases in the Gulf of Mexico under the Outer Continental Shelf Lands Act to a person that does not renegotiate its existing leases in order to require royalty payments if oil and natural gas prices are greater than or equal to specified price thresholds, S. 1311, to amend the Federal Oil and Gas Royalty Management Act of 1982 and the Outer Continental Shelf Lands Act to modify

certain penalties to deter oil spills, S. 1312, to modernize Federal policies regarding the supply and distribution of energy in the United States, S. 1338, to amend the Federal Power Act to provide licensing procedures for certain types of projects, S. 1340, to amend the Mineral Leasing Act to improve coal leasing, S. 1346, to require the Secretary of Energy to establish an e-prize competition pilot program to provide up to 4 financial awards to eligible entities that develop and verifiably demonstrate technology that reduces the cost of electricity or space heat in a high-cost region, S. 1363, to require the Secretary of Energy to submit to Congress a report assessing the capability of the Department of Energy to authorize, host, and oversee privately funded fusion and fission reactor prototypes and related demonstration facilities at sites owned by the Department of Energy, S. 1398, to extend, improve, and consolidate energy research and development programs, S. 1405, to require a coordinated response to coal fuel supply emergencies that could impact electric power system adequacy or reliability, S. 1407, to promote the development of renewable energy on public land, S. 1408, to provide for a program of research, development, demonstration, and commercial application in vehicle technologies at the Department of Energy, S. 1420, to amend the Department of Energy Organization Act to provide for the collection of information on critical energy supplies, to establish a Working Group on Energy Markets, S. 1422, to require the Secretary of Energy to establish a comprehensive program to improve education and training for energy- and manufacturing-related jobs to increase the number of skilled workers trained to work in energy and manufacturing-related fields, S. 1428, to amend the USEC Privatization Act to require the Secretary of Energy to issue a long-term Federal excess uranium inventory management plan, S. 1432, to require the Secretary of Energy to conduct a study on the technology, potential lifecycle energy savings, and economic impact of recycled carbon fiber, S. 1434, to amend the Public Utility Regulatory Policies Act of 1978 to establish an energy storage portfolio standard, S. 1449, to amend the Energy Independence and Security Act of 2007 to add certain medium-duty and heavy-duty vehicles to the advanced technology vehicles manufacturing incentive program, and H.R. 35, to increase the understanding of the health effects of low doses of ionizing radiation, after receiving testimony from Lynn Orr, Under Secretary of Energy for Science and Energy; Colleen McAleer, Port of Port Angeles, Port Angeles, Washington; Norman R. Augustine, Bipartisan Policy Center, Bethesda, Maryland, on behalf of the American Energy Innovation Council; Karen Harbert, Chamber of Commerce Institute for 21st Century Energy, Washington, D.C.; Duane D. Highley, Arkansas Electric Cooperative, Little Rock, on behalf of the National Rural Electric Cooperative Association; and Mark P. Mills, Manhattan Institute, Chevy Chase, Maryland.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the following business items:

S.756, to require a report on accountability for war crimes and crimes against humanity in Syria;

An original bill entitled, "Department of State Operations Authorization and Embassy Security Act, Fiscal Year 2016"; and

The nominations of Azita Raji, of California, to be Ambassador to the Kingdom of Sweden, Nancy Bikoff Pettit, of Virginia, to be Ambassador to the Republic of Latvia, Gregory T. Delawie, of Virginia, to be Ambassador to the Republic of Kosovo, Ian C. Kelly, of Illinois, to be Ambassador to Georgia, Julieta Valls Noyes, of Virginia, to be Ambassador to the Republic of Croatia, and routine lists in the Foreign Service, all of the Department of State, and Sunil Sabharwal, of California, to be United States Alternate Executive Director of the International Monetary Fund for a term of two years.

OVERSIGHT OF THE TRANSPORTATION SECURITY ADMINISTRATION

Committee on Homeland Security and Governmental Affairs: Committee concluded an oversight hearing to examine the Transportation Security Administration, focusing on first-hand and government watchdog accounts of agency challenges, after receiving testimony from Becky Roering, Assistant Federal Security Director—Inspections, and Robert J. MacLean, Federal Air Marshall, Office of Law Enforcement, Federal Air Marshall Service, both of the Transportation Security Administration, and John Roth, Inspector General, all of the Department of Homeland Security; and Jennifer Grover, Director, Homeland Security and Justice, Government Accountability Office.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the nominations of David J. Shulkin, of Pennsylvania, to be Under Secretary for Health, and LaVerne Horton Council, of New Jersey, to be an Assistant Secretary (Information and Technology), both of the Department of Veterans Affairs.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 21 public bills, H.R. 2688–2708 were introduced.

Page H4001

Additional Cosponsors: Pages H4002–04

Reports Filed: Reports were filed today as follows:

H.R. 906, to modify the efficiency standards for grid-enabled water heaters, with an amendment (H. Rept. 114–142);

H.R. 1734, to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment (H. Rept. 114–143);

H.R. 2596, to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with an amendment (H. Rept. 114–144, Part 1); and

H. Res. 303, providing for consideration of the bill (H.R. 2685) making appropriations for the Department of Defense for the fiscal year ending September 30, 2016, and for other purposes, and providing for consideration of the bill (H.R. 2393) to amend the Agricultural Marketing Act of 1946 to repeal country of origin labeling requirements with respect to beef, pork, and chicken, and for other purposes (H. Rept. 114–145). Page H4000

Speaker: Read a letter from the Speaker wherein he appointed Representative Farenthold to act as Speaker pro tempore for today. Page H3923

Recess: The House recessed at 12:20 p.m. and reconvened at 2 p.m. Page H3925

Journal: The House agreed to the Speakers approval of the Journal by a voice vote. Page H3925

Recess: The House recessed at 2:09 p.m. and reconvened at 3:02 p.m. Page H3926

Suspensions: The House agreed to suspend the rules and pass the following measures:

United States Grain Standards Act Reauthorization Act of 2015: H.R. 2088, amended, to amend the United States Grain Standards Act to improve inspection services performed at export elevators at export port locations, and to reauthorize certain authorities of the Secretary of Agriculture under such Act; Pages H3926–29

Mandatory Price Reporting Act of 2015: H.R. 2051, amended, to amend the Agricultural Marketing Act of 1946 to extend the livestock mandatory price reporting requirements; Pages H3929–31

National Forest Foundation Reauthorization Act of 2015: H.R. 2394, amended, to reauthorize the National Forest Foundation Act; Pages H3931–32

Permanent Internet Tax Freedom Act: H.R. 235, to permanently extend the Internet Tax Freedom Act; and Pages H3952–56

Foreign Cultural Exchange Jurisdictional Immunity Clarification Act: H.R. 889, to amend chapter 97 of title 28, United States Code, to clarify the exception to foreign sovereign immunity set forth in section 1605(a)(3) of such title.

Pages H3956–59

Recess: The House recessed at 5:54 p.m. and reconvened at 6:30 p.m. Page H3963

Commodity End-User Relief Act: The House passed H.R. 2289, to reauthorize the Commodity Futures Trading Commission, to better protect futures customers, to provide end-users with market certainty, to make basic reforms to ensure transparency and accountability at the Commission, to help farmers, ranchers, and end-users manage risks, and to help keep consumer costs low, by a yea-and-nay vote of 246 yeas to 171 nays, Roll No. 309.

Pages H3932–52, 3963–64

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–18 shall be considered as an original bill for the purpose of amendment under the five-minute rule, in lieu of the amendment in the nature of a substitute recommended by the Committee on Agriculture now printed in the bill.

Pages H3940–48

Agreed by unanimous consent that amendments No. 2 and 3 printed in H. Rept. 114–136 may be considered out of sequence. Page H3950

Agreed to:

Conaway amendment (No. 1 printed in H. Rept. 114–136) that makes conforming and technical changes; Page H3948

Moore amendment (No. 4 printed in H. Rept. 114–136) that narrows the scope of the provisions in the bill to ensure that only swap data, and not any other data, held by an SDR is required to be shared with other regulators; ensures that the language in

the Securities Exchange Act and the Commodity Exchange Act mirror each other; **Pages H3949–50**

Walorski amendment (No. 5 printed in H. Rept. 114–136) that adds "Status of consultations with all U.S. market participants including major producers and consumers"; **Page H3950**

Plaskett amendment (No. 2 printed in H. Rept. 114–136) that expresses a sense of Congress that the Commodity Futures Trading Commission should take all appropriate actions to encourage applications for positions in the Office of the Chief Economist from members of minority groups, women, disabled persons, and veterans; and **Page H3951**

Takai amendment (No. 3 printed in H. Rept. 114–136) that requires a report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a summary of any plans of action and milestones for any known information security vulnerability. **Pages H3951–52**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Page H3999**

H. Res. 288, the rule providing for consideration of the bill (H.R. 2289) was agreed to on June 3rd.

Oath of Office—First Congressional District of Mississippi: Representative-elect Trent Kelly presented himself in the well of the House and was administered the Oath of Office by the Speaker. Earlier, the Clerk of the House transmitted a scanned copy of a letter received from the Honorable C. Delbert Hosemann, Jr., Mississippi Secretary of State, indicating that, according to the preliminary results of the Special Election held June 2, 2015, the Honorable Trent Kelly was elected Representative to Congress for the First Congressional District, State of Mississippi. **Pages H3964–65**

Whole Number of the House: The Speaker announced to the House that, in light of the administration of the oath to the gentleman from Mississippi, the whole number of the House is 434. **Page H3965**

Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2016: The House passed H.R. 2577, making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2016, by a yea-and-nay vote of 216 yeas to 210 nays, Roll No. 329. Consideration began June 3rd. **Pages H3965–98**

Rejected the Delaney motion to recommit to recommit the bill to the Committee on Appropriations with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 181 ayes to 244 noes, Roll No. 328. **Pages H3996–98**

Agreed to:

Gosar amendment that was debated on June 4th that prohibits the use of funds to carry out the rule entitled "Affirmatively Furthering Fair Housing", published by the Department of Housing and Urban Development in the Federal Register on July 19, 2013 (by a recorded vote of 229 ayes to 193 noes, Roll No. 311); **Page H3966**

Jackson Lee amendment (No. 16 printed in the Congressional Record of June 3, 2015) that prohibits the use of funds in contravention of section 5309 of title 49, United States Code; **Page H3973**

Engel amendment (No. 4 printed in the Congressional Record of June 2, 2015) that prohibits the use of funds to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with the Presidential Memorandum dated May 24, 2011; **Pages H3976–77**

Newhouse amendment that prohibits the use of funds to issue, implement, or enforce regulations by the FAA for operations and certification of small unmanned aircraft systems in contravention to 14 CFR 21.25(b)(1); **Page H3979**

Bass amendment that prohibits the use of funds by the FTA to implement, administer, or enforce section 18.36(c)(2) of title 49, for construction hiring purposes; **Page H3982**

Zeldin amendment that prohibits the use of funds by the Administrator of the FAA to institute an administrative or civil action or disposition of penalties against the sponsor of East Hampton Airport in East Hampton, NY; **Pages H3982–83**

Denham amendment that prohibits the use of funds for high-speed rail in the State of California or for the California High-Speed Rail Authority, nor may any be used by the Federal Railroad Administration to administer a grant agreement with the California High-Speed Rail Authority that contains a tapered matching requirement; **Pages H3984–85**

Mullin amendment that prohibits the use of funds to enforce subpart B of part 750 of title 23, Code of Federal Regulations, regarding signs for service clubs and religious notices as defined in section 153(p) of such part; **Page H3986**

Yoho amendment that prohibits the use of funds to use in contravention of subpart E of part 5 of regulations of the Secretary of Housing and Urban Development (24 C.F.R. Part 5, Subpart E; relating to restrictions on assistance to noncitizens) (by a recorded vote of 244 ayes to 181 noes, Roll No. 319); **Pages H3972–73, H3990–91**

Brooks (AL) amendment that prohibits the use of funds to provide financial assistance in contravention

of section 214(d) of the Housing and Community Development Act of 1980 (by a recorded vote of 246 ayes to 180 noes, Roll No. 320);

Pages H3975–76, H3991

Hultgren amendment that prohibits the use of funds by the FAA for the bio-data assessment in the hiring of Air Traffic Control Specialists (by a recorded vote of 240 ayes to 186 noes, Roll No. 321);

Pages H3977–78, H3991–92

Garrett amendment that prohibits the use of funds to implement, administer, or enforce the final rule entitled ''Implementation of the Fair Housing Act's Discriminatory Effects Standard'', published by the Department of Housing and Urban Development (by a recorded vote of 231 ayes to 195 noes, Roll No. 323); **Pages H3979–80, H3993**

Peters amendment that prohibits the use of funds in contravention of Executive Order 11246 (relating to Equal Employment Opportunity) (by a recorded vote of 241 ayes to 184 noes with one answering ''present'', Roll No. 326); and **Pages H3985–86, H3995**

Issa amendment that prohibits the use of funds to acquire a camera for the purpose of collecting or storing vehicle license plate numbers (by a recorded vote of 297 ayes to 129 noes, Roll No. 327).

Pages H3988–90, H3995–96

Rejected:

Blackburn amendment (No. 7 printed in the Congressional Record of June 3, 2015) that was debated on June 4th that sought to reduce each amount made available by this Act by 1 percent (by a recorded vote of 163 ayes to 259 noes, Roll No. 310);

Pages H3965–66

Gosar amendment that was debated on June 4th that sought to prohibit the use of funds to implement, administer, or enforce the rule entitled ''Hazardous Materials: Enhanced Tank Car Standards and Operational Controls for High-Hazard Flammable Trains'' (by a recorded vote of 136 ayes to 286 noes, Roll No. 312); **Pages H3966–67**

Posey amendment that was debated on June 4th that sought to prohibit the use of funds by the Department of Transportation to take any actions with respect to the financing of passenger rail projects along Florida's East Coast (by a recorded vote of 163 ayes to 260 noes, Roll No. 313); **Pages H3967–68**

Sessions amendment that was debated on June 4th that sought to prohibit the use of funds to support Amtrak's route with the highest loss, measured by contributions/(Loss) per Rider (by a recorded vote of 205 ayes to 218 noes, Roll No. 314); **Page H3968**

Sessions amendment that was debated on June 4th that sought to prohibit the use of funds to support any Amtrak route whose costs exceed 2 times its revenues (by a recorded vote of 186 ayes to 237 noes, Roll No. 315); **Pages H3968–69**

Schiff amendment that was debated on June 4th that sought to prohibit the use of funds to enforce section 47524 of title 49, with regard to noise or access restriction of the Bob Hope Airport in Burbank, CA (by a recorded vote of 157 ayes to 266 noes, Roll No. 316); **Pages H3969–70**

Posey amendment that was debated on June 4th that sought to prohibit the use of funds by the Department of Transportation to authorize exempt facility bonds to finance passenger rail projects that cannot attain the speed of 150 mph (by a recorded vote of 148 ayes to 275 noes, Roll No. 317);

Page H3970

Posey amendment that was debated on June 4th that sought to prohibit the use of funds by the Department of Transportation to make a loan in an amount that exceeds $600,000,000 under the Railroad Revitalization and Regulatory Reform Act (by a recorded vote of 134 ayes to 287 noes, Roll No. 318); **Pages H3970–71**

Grothman amendment that sought to prohibit the use of funds for any family who is not an elderly family or a disabled family of the United States Housing Act and who was not receiving project-based rental assistance under section 8 of such Act as of Oct. 1, 2015, and the amount otherwise provided under such heading is reduced by $300,000,000; **Pages H3986–87**

Grothman amendment that sought to prohibit the use of funds for any family who is not an elderly family or a disabled family and who was not receiving tenant-based rental assistance under section 8 of such Act; **Pages H3987–88**

Meehan amendment that sought to prohibit the use of funds for Amtrak capital grants may be used for projects off the Northeast Corridor until the level of capital spending by Amtrak for capital projects on the Northeast Corridor during fiscal year 2016 equals the amount of Amtrak's profits from Northeast Corridor operations during FY 2015 (by a recorded vote of 199 ayes to 227 noes, Roll No. 322);

Pages H3978, H3992–93

Ellison amendment that sought to prohibit the use of funds for contracts to entities that have violated the Fair Labor Standards Act (by a recorded vote of 182 ayes to 243 noes, Roll No. 324); and

Pages H3980–81, H3993–94

Emmer (MN) (No. 28 printed in the Congressional Record of June 4, 2015) amendment that sought to prohibit the use of funds to carry out any enrichment for any New Start grant request (by a recorded vote of 212 ayes to 214 noes, Roll No. 325).

Pages H3981–82, H3994

Withdrawn:

Maxine Waters (CA) amendment that was offered and subsequently withdrawn that would have prohibited the use of funds to establish any asset management position of the Office of Multifamily Housing of the Department of Housing and Urban Development, or newly hire an employee for any asset management position, that is located at a Core office before filling each such asset management position that is located at a Non-Core office; **Page H3972**

Newhouse amendment that was offered and subsequently withdrawn that would have prohibited the use of funds to issue, implement, or enforce the proposed regulation by the FAA entitled "Operation and Certification of Small Unmanned Aircraft Systems" without consideration of the use of small unmanned aircraft systems for agricultural operations; and **Pages H3978–79**

Lewis (GA) amendment that was offered and subsequently withdrawn that would have added a new section at the end of the bill pertaining to reverse mortgage survivor benefits. **Pages H3983–84**

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House. **Pages H3998–99**

H. Res. 287, the rule providing for consideration of the bills (H.R. 2577) and (H.R. 2578) was agreed to on June 2nd.

Suspension—Proceedings Postponed: The House debated the following measure under suspension of the rules. Further proceedings were postponed.

Supporting local law enforcement agencies in their continued work to serve our communities, and supporting their use of body worn cameras to promote transparency to protect both citizens and officers alike: H. Res. 295, supporting local law enforcement agencies in their continued work to serve our communities, and supporting their use of body worn cameras to promote transparency to protect both citizens and officers alike. **Pages H3959–63**

Quorum Calls—Votes: Two yea-and-nay votes and nineteen recorded votes developed during the proceedings of today and appear on pages H3963-64, H3965-66, H3966, H3966-67, H3967-68, H3968, H3969, H3969-70, H3970, H3971, H3990-91, H3991, H3991-92, H3992-93, H3993, H3993-94, H3994, H3995. There were no quorum calls.

Adjournment: The House met at 12 noon and adjourned at 11:41 p.m.

Committee Meetings

COUNTRY OF ORIGIN LABELING AMENDMENTS ACT OF 2015; DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2016

Committee on Rules: Full Committee held a hearing on H.R. 2393, the "Country of Origin Labeling Amendments Act of 2015"; and H.R. 2685, the "Department of Defense Appropriations Act, 2016". The committee granted, by record vote of 8–4, a modified-open rule for H.R. 2685. The rule provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI. The rule provides that after general debate the bill shall be considered for amendment under the five-minute rule except that: (1) amendments shall be debatable for 10 minutes equally divided and controlled by the proponent and an opponent and shall not be subject to amendment; and (2) no pro forma amendments shall be in order except that the chair and ranking minority member of the Committee on Appropriations or their respective designees may offer up to 10 pro forma amendments each at any point for the purpose of debate. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. The rule provides one motion to recommit with or without instructions. The rule also grants a closed rule for H.R. 2393. The rule provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Agriculture. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Agriculture now printed in the bill shall be considered as adopted and the bill, as amended, shall be considered as read. The rule waives all points of order against provisions in the bill, as amended. The rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Conaway, and Representatives Frelinghuysen, Visclosky, Massie, and DeLauro.

Joint Meetings

No joint committee meetings were held.

COMMITTEE MEETINGS FOR WEDNESDAY, JUNE 10, 2015

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Commerce, Justice, Science, and Related Agencies, business meeting to markup an original bill entitled, ''Commerce, Justice, Science, and Related Agencies Appropriations Act, 2016'', 10:30 a.m., SD–192.

Committee on Commerce, Science, and Transportation: to hold hearings to examine passenger rail safety, focusing on accident prevention and on-going efforts to implement train control technology, 10 a.m., SR–253.

Committee on Energy and Natural Resources: Subcommittee on National Parks, to hold hearings to examine S. 145, to require the Director of the National Park Service to refund to States all State funds that were used to reopen and temporarily operate a unit of the National Park System during the October 2013 shutdown, S. 146, to authorize the Secretary of the Interior or the Secretary of Agriculture to enter into agreements with States and political subdivisions of States providing for the continued operation, in whole or in part, of public land, units of the National Park System, units of the National Wildlife Refuge System, and units of the National Forest System in the State during any period in which the Secretary of the Interior or the Secretary of Agriculture is unable to maintain normal level of operations at the units due to a lapse in appropriations, S. 319, to designate a mountain in the State of Alaska as Mount Denali, S. 329, to amend the Wild and Scenic Rivers Act to designate certain segments of the Farmington River and Salmon Brook in the State of Connecticut as components of the National Wild and Scenic Rivers System, S. 403, to revise the authorized route of the North Country National Scenic Trail in northeastern Minnesota and to extend the trail into Vermont to connect with the Appalachian National Scenic Trail, S. 521, to authorize the Secretary of the Interior to conduct a special resource study of President Station in Baltimore, Maryland, S. 610, to authorize the Secretary of the Interior to conduct a special resource study of P.S. 103 in West Baltimore, Maryland and for other purposes, S. 782, to direct the Secretary of the Interior to establish a bison management plan for Grand Canyon National Park, S. 873, to designate the wilderness within the Lake Clark National Park and Preserve in the State of Alaska as the Jay S. Hammond Wilderness Area, and S. 1483, to direct the Secretary of the Interior to study the suitability and feasibility of designating the James K. Polk Home in Columbia, Tennessee, as a unit of the National Park System, 2:30 p.m., SD–366.

Committee on Environment and Public Works: business meeting to consider S. 1140, to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term ''waters of the United States'', 9:30 a.m., SD–406.

Committee on Finance: business meeting to consider the nominations of Anne Elizabeth Wall, of Illinois, to be a Deputy Under Secretary, and Brodi L. Fontenot, of Louisiana, to be Chief Financial Officer, both of the Department of the Treasury, and Rafael J. Lopez, of California, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services, Time to be announced, Room to be announced.

Committee on Foreign Relations: to receive a closed briefing on verification and assessment, focusing on how to create a successful inspection regime, 5 p.m., S–116, Capitol.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine health information exchange, focusing on a path towards improving the quality and value of health care for patients, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine the nominations of Peter V. Neffenger, of Ohio, to be an Assistant Secretary of Homeland Security, and David S. Shapira, of Pennsylvania, to be a Governor of the United States Postal Service for a term expiring December 8, 2019, 9 a.m., SD–342.

Subcommittee on Federal Spending Oversight and Emergency Management, to hold hearings to examine wasteful spending in the Federal government, focusing on an outside perspective, 2:30 p.m., SD–342.

Committee on Indian Affairs: business meeting to consider S. 248, to clarify the rights of Indians and Indian tribes on Indian lands under the National Labor Relations Act; to be immediately followed by an oversight hearing to examine addressing the need for victim services in Indian County, 2:15 p.m., SD–628.

Committee on the Judiciary: to hold hearings to examine the Federal regulatory system to improve accountability, transparency and integrity, 10 a.m., SD–226.

Full Committee, to hold hearings to examine the nominations of Luis Felipe Restrepo, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, Travis Randall McDonough, to be United States District Judge for the Eastern District of Tennessee, and Waverly D. Crenshaw, Jr., to be United States District Judge for the Middle District of Tennessee, 1:30 p.m., SD–226.

Special Committee on Aging: to hold hearings to examine the proliferation of unwanted calls, 2:30 p.m., SD–562.

House

Committee on Agriculture, Full Committee, hearing entitled ''Past, Present, and Future of SNAP: The Means to Climbing the Economic Ladder'', 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies, markup on Interior, Environment, and Related Agencies Appropriations Bill, FY 2016, 10:15 a.m., B–308 Rayburn.

Committee on Education and the Workforce, Subcommittee on Workforce Protections, hearing entitled ''Reviewing the Rules and Regulations Implementing Federal Wage and Hour Standards'', 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Communications and Technology, markup on H.R. 805, the ''Domain Openness Through Continued Oversight Matters Act of 2015'', 10 a.m., 2123 Rayburn.

Committee on Foreign Affairs, Subcommittee on the Middle East and North Africa, hearing entitled ''Iran's Enduring Ballistic Missile Threat'', 10 a.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Emergency Preparedness, Response, and Communications, hearing entitled ''Defense Support of Civil Authorities: A Vital Resource in the Nation's Homeland Security Missions'', 10 a.m., 311 Cannon.

Committee on Natural Resources, Subcommittee on Indian, Insular and Alaska Native Affairs, hearing on H.R. 487, to allow the Miami Tribe of Oklahoma to lease or transfer certain lands; H.R. 2212, to take certain Federal lands located in Lassen County, California, into trust for the benefit of the Susanville Indian Rancheria, and for other purposes; and H.R. 2387, to amend the Alaska Native Claims Settlement Act to provide for equitable allotment of land to Alaska Native veterans, 11 a.m., 1324 Longworth.

Full Committee, markup on H.R. 387, the ''Economic Development Through Tribal Land Exchange Act''; H.R. 521, to provide for the conveyance of certain property to the Yukon Kuskokwim Health Corporation located in Bethel, Alaska; H.R. 1289, the ''John Muir National Historic Site Expansion Act''; H.R. 1992, the ''American Soda Ash Competitiveness Act''; H.R. 2295, the ''National Energy Security Corridors Act''; H.R. 2358, the ''Electricity Reliability and Forest Protection Act''; and H.R. 2647, the ''Resilient Federal Forests Act of 2015'', 4 p.m., 1324 Longworth.

Committee on Oversight and Government Reform, Subcommittee on the Interior, hearing entitled ''The Impact of Executive Order 13658 on Public Land Guides and Outfitters'', 10 a.m., 2154 Rayburn.

Subcommittee on Information Technology; and Subcommittee on Government Operations, joint hearing entitled ''The Federal Information Technology Reform Act's Role in Reducing IT Acquisition Risk'', 2 p.m., 2154 Rayburn.

Committee on Rules, June 10, Full Committee, hearing on H.R. 2596, the ''Intelligence Authorization Act for Fiscal Year 2016'', 3 p.m., H–313 Capitol.

Committee on Small Business, Full Committee, markup on H.R. 2499, ''Veterans Entrepreneurship Act of 2015''; H.R. 208, ''Superstorm Sandy Relief Act of 2015''; H.R. 1023, ''Small Business Investment Company Capital Act of 2015''; and H.R. 2670, ''Microloan Modernization Act of 2015'', 11 a.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment, hearing entitled ''One Year Anniversary after Enactment: Implementation of the Water Resources Reform and Development Act of 2014'', 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Oversight and Investigations, hearing entitled ''Prescription Mismanagement and the Risk of Veteran Suicide'', 10:30 a.m., 334 Cannon.

Committee on Ways and Means, Full Committee, hearing on Obamacare implementation and the Department of Health and Human Services FY16 Budget request, 10 a.m., 1100 Longworth.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine the escalating threat of ISIL in Central Asia, 2 p.m., 2175, Rayburn Building.

Next Meeting of the **SENATE**

9:30 a.m., Wednesday, June 10

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond one hour), Senate will continue consideration of H.R. 1735, National Defense Authorization Act.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

10 a.m., Wednesday, June 10

House Chamber

Program for Wednesday: Consideration of H.R. 2393—Country of Origin Labeling Amendments Act of 2015 (Subject to a Rule) and H.R. 2685—Department of Defense Appropriations Act, 2016 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

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